AN ADVOCATE OF THE PAST RESIGNING THE PINK



BY GEORGE A. FOTHERGILL, 1924

The first proof, — after eight pages to appear, one to contain a large collotype plate of an equestrian group — old Macknight on his 'Rosinante'.

Gill

4 July 1924



"PAGANINI" in his L. & S. Days.
From the picture by G. A. Fothergill.

AN ADVOCATE OF THE PAST RESIGNING THE PINK

Aye, lang I've follow'd here my fond desire—
Lang, lang I've luv'd tod-huntin',
An' luv'd to ride the horse 'at I admeir,
An' sport wi' naethin' dauntin'.

Hoo aften ha'e I donn'd the pink an' white,
An' seen us gayly meetin';
Hoo aften ha'e I seen the pleasin' sicht
O' the L. and S. hunds fleetin'.

I've joinèd i' the harum-scarum ride—
The up-an'-doon wind scramble—
An' hursl'd through the fences weel astride
Aboon the gruppin' bramble.

Yon Maiden's crack o' whup an' Ned's clear ca's,
The lang straight rins an' doubles,
The swing-gatts an' the hefty whunstane wa's
('At mebbe brought us troubles)—

I mind 'em a', an' the whustlin' burns i' spate,
The deep an' divilish ditches,—
An' whiles a fa'—tae stang my happy state
Ahint the tunefu' bitches.

Whan harkin' back I'm fu' o' nae remorse,—
My youth was gi'en for courtin',
The plizzurs o' the chase, o' hund an' horse,
An' a' the lave 'at's sportin'.

Noo, age an' I the pink resign to youth—
The link maun shortly sever;
But while I've life an' mem'ry left, forsooth
I'll hunt i' thocht for ever.

THE above rhyme was written at the end of October 1911, just when the last leaves were falling and the writer was beginning to think he might never again enjoy a run with hounds. He had also been raking together some old memories of his early hunting days, and amongst them stand out in bold relief a tall, gaunt sportsman of the old school, a Scotsman to the backbone. His last season (1892–3) with the Linlithgow and Stirlingshire was my first and only one on this side of the Border; but I do not think he was out with us on more than three or four days, and then he rode his own solitary line

through gates and gaps pretty wide of the "field." He was never known on those days to speak to a soul excepting on one occasion, when he asked a plough-boy to hold his mare's rein for a few minutes so that he might recover his breath—the old fellow was at least seventy-six. A link with the historic hunting past, he had been in the field with the famous Mr Ramsay of Barnton, who, dying in 1850, left the reins of office in the hands of Mr James Sandilands, the late Lord Torphichen's uncle. What an interesting line of masters from about 1835 onwards for old Mac——t to have been able to recall! Let me give the names, with dates of their mastership, of the Linlithgow and Stirling-shire XI who were all known to him:—W. R. Ramsay of Barnton (1830–50), Hon. James Sandilands (1850–65), Charles Ramsay of Barnton (1865–6), Captain A. Gillon of Wallhouse (1866–9), H. W. Hope of Luffness (1869–71), James Hope (1871–7), Captain W. Wauchope of Niddry (1877–81), James Russel of Dundas (1881–4), J. G. Menzies (1884–7), Captain George Cheape of Wellfield (1887–90), and Adam P. Cross (1890–5), who was succeeded by a triumvirate, the brothers Usher, who had, I believe, all been entered to hounds in the L. and S. country and knew Mac——t from their pony days.

When a much younger man Mac——t was very game and rode to hounds with considerable dash and a fair amount of judgment. It was he of whom I thought while scribbling down my rhyme, though the huntsman, Ned Cotesworth (he was first whip in 1893), and whipper-in, Harry Maiden (second whip in 1893), to whom I allude, were not with this pack in Mac——t's "palmy" days. Looked upon as the greatest character in the whole Hunt, he turned out in an ancient pink coat, so ancient that it must have been drenched with the rains of at least five-and-twenty seasons—some went so far as to say it was the first and last he ever ordered at his tailor's—it certainly looked as if it had never known the loving care of a valet. Whether he in his old age required a little extra warmth, or felt that his whilom "coat so gay" was not so smart in appearance as it once was, I know not, but he invariably had on as well a dust-coloured covert-coat, with just the blue-stained tails of the pink one peeping out below. If I mistake not, he wore "Napoleons" and not the conventional top-boots of the period; his breeches were of a dull, khaki-coloured Bedford cord (which saved him the cost of many a washing). As to his hat, it resembled somewhat in shape and texture a postillion's beaver—no brush could have been near it for years; it was black, or meant to be so, and even when struck by the sun showed no more gloss upon it than does a pot of sable wedgwood. Beneath it was a broad, massive forehead with regular and striking features, and eyes betokening

much intelligence; but the owner of them spared the razor (as he spared many other things), and the should-be clean-shaven chin was by no means denuded of all its hair—at least a week's growth was visible there when last I set eyes on him, reminding me of a former Earl of M—— whom I knew slightly and of whom "Jehu Junior" of *Vanity Fair* said in his biography of him accompanying "Spy's" cartoon, "He doesn't shave often enough."

By profession the subject of this sketch was an advocate (whether a briefless one or not I am unprepared to say), and owned and lived in a good house in A—— Street in Edinburgh. Of the whereabouts of his stable most of us were in utter ignorance, though one authority (?) assured me it was "a grass field in the vicinity of Pilrig," and that Mac——t was his own stud-groom and strapper combined! We all knew, however, that in 1893 he only possessed one hunter, a gallant beast of its sort, quixotic in form and white in coat—very impure white about the legs, belly, and ribs (soft soap and powdered charcoal were an unknown quantity in that evergreen stable)—and, like a Sheltie, natural as to its length. The old sport was no *advocate* for the "scissors," and would have you believe that his reason for this was based entirely on a disbelief in the theory of clipping for horses of any kind,—a sound enough opinion so far as a well-strapped-down thoroughbred is concerned, but apparently it did not occur to him that the strain of his Rosinante had probably not had one single ounce of "blue blood" added to it for at least a century, and a clip all over would have done her no harm and helped to check that profuse sweating for which she was noted in the hunting-field. At one time, about a hundred years ago, it was most unusual—at least in the Provinces, as opposed to the Shires—to clip a hunter, and the old fashion, perhaps I should rather say the natural state of things, must have lingered on in Mac——t's stable, though we suspect his chief reason for not believing in the "scissors" and not keeping up with the times was again a question of £ s. d. At that period it would have cost him half a guinea or more to have a professor-in-the-art-of-clipping engaged over his old white beast; time was when sportsmen had to pay a couple of sovereigns even to have a racehorse shaved, as this was invariably done at night, half-a-dozen tall church candles lighting up the proceedings, and four men employed, two of them, each armed with a pair of scissors, cutting at the same time on different parts of the animal.

There was certainly a perfect harmony, and a splash of poetry besides, if not of a very polished order, in this ancient pair—like master, like mare (unless the old screw was a gelding, and at this time I cannot be quite certain of the sex). For that very reason Mac——t and his hunter were a marked couple, and

appealed strongly to anyone of an artistic turn of mind. The late "Jack" Drybrough, of polo fame, who had been acquainted with the old advocate since he (W. J. D.) was a child, begged me to go and call on him in A—— Street and persuade him to sit for his portrait: "Prints of that equestrian group," said he, a brewer's son, "would sell like pots of beer!"

With that object in view, then, I went to call on him. The front door was opened (after I had rung several times) by a civil old housekeeper—the only servant he kept at that time. It was 11 A.M., and Mr Mac——t was still reposing—"He has naethin' in partic'lar to git up for," his housekeeper remarked, as she led the way and showed me straight into the only room he occupied in the whole house—the large dining-room on the left, where he fed, read, fiddled (he was a great violinist), and slept. The old fellow did not seem to be in the least surprised at seeing a stranger step into his bedroom-sitting-room, but just rubbed his eyes and drowsily rose from a big antique sofa covered with horse-hair, threw back a rug—more like a bit of ragged horse-clothing than anything else—got on to his shanks, came rather unwillingly forward, and grasped my hand. I gathered afterwards that he was frequently in the habit of going to bed in his day-things without changing into a nightshirt (this, of course, saved extra washing). He seemed to have become rather miserly in his ways, shutting himself off from social converse and exhibiting no very cordial fellow-feeling, though I must say, so far as I was concerned, he warmed up a little when I led him on to the subject of fox-hunting, and he seemed not altogether displeased at having his memory-strings pulled a bit about people and things of the past.

I could not help taking stock of what I saw in that strange apartment, in appearance something between an old cloes shop and a Dutch interior—his "wardrobe" scattered about on the backs of chairs and on the floor at one end of the room, and victuals, or what remained of them, books, papers, crockery, etc., all jumbled up together at the other end. Even at that time of day the light was dim in the room—the windows hadn't had a leather over them for ages. There was no order or tidiness whatever about the place, and everything wore a jaded and melancholy look. If any "flowers of love, of hope, or joy" ever sprang up from the dust and dirt of that miserable room, they must have bloomed only to wither in a moment!

But withal, I could see I was in the presence of a cultured gentleman, whose nature seemed to have taken a curious twist. It was obvious his ruling motive, if it aimed at nothing else, was singularity,—and at that time he was all but a recluse in the midst of a big city. For all I know to the

contrary, he might at one time have been a busy, flourishing advocate, with his home in order, servants at his beck and call, and all his belongings well cared for. But when I went to see him, though he showed no symptoms of disease or even of fast-failing old age, I felt somehow that he was rapidly passing out of the world ; and the surroundings which I have endeavoured roughly to describe were those in which he selected to end his days.

I was told that Mac——t was a member of the Amateur Orchestral Society, and that he was looked upon as an unusually good violinist. He showed me some of his fiddles, and one in particular he said was of considerable value. He smiled when I told him I was acquainted with his favourite Joachim and had once, as a boy, played a practical joke on the world-famous musician by hiding for a time the old gold silk handkerchief that covered his precious violin. Far back in the century, so gossip would have it, Mac——t was one of the best-dressed and smartest-looking men in Modern Athens. There must still be old people about Parliament House and in musical circles who knew him in the sixties. He was certainly one of the most eccentric characters who ever donned a white wig and black flowing gown.

I remained chatting with the old man for close upon half an hour, and, besides other topics, discussed with good tact the main object of my visit. But thinking, no doubt, he might be called upon later to part with a few shillings for a print of the portrait I proposed doing of him, he resolutely declined to sit for it. So I thanked him for giving up his "valuable time" to me, and courteously wished him good-bye.

Some little time afterwards I heard of his death, and also that he had left property valued at something not far short of £60,000. This may have been hyperbolical — I felt sure it must have been ; anyway he died, to outsiders seemingly a pauper, a comparatively rich man.

Though he could speak Shakesperian English well, Mr Mac——t was equally at home in braid Scots, and the words I have purposely used in my rhyme, "Resigning the Pink," were frequently on his lips, so I was told. He was the first I ever heard use the expression *hefty wa'*, implying a big, strong wall, of which there were many in the Linlithgow and Stirlingshire country thirty years ago.

In the hunting-field he was known by the nickname of "Paganini," and by lawyers he was invariably called "Dir-rty Mac——t."

GEORGE A. FOTHERGILL.

Cramond Bridge,
Linlithgowshire.
17*th June* 1924.

WHEN I had finished this sketch of Mac——t, a friend to whom I showed it suggested that I should hunt up his will at the Record Office,—it might be a psychological curiosity, he added. This I did, and found it to be what he said.

Those who have sat day after day in the historic round room, with a diameter of fifty feet, beneath the dome of the Register House, designed by the famous Robert Adam, and handled will after will there, as well as the big leather-bound volumes containing copies of them, can no longer feel the many thrills that a perfect stranger to the place must experience when he makes his début in that noble building. The fee for consulting a copy of a will is 2s. 6d., and that for studying the will itself, 7s. 6d.; but if one requires to examine a will for literary purposes only, there is no charge made—No. 1 thrill for the stranger who is an author. No. 2 thrill must surely be the sight of the original with signature of the party who made the will; and then comes a series of thrills as one reads from beginning to end of the precious document. I had never been beneath that beautiful dome before, and Mac——t's was the first will I had ever handled; so that the thrills I enjoyed during my preliminary visit of an hour to the Scottish Record Office were not a few.

His will and codicils appear on four of the eight pages of hand-made paper, bound in a vellum wrapper. The will itself is inscribed very neatly indeed in the tiniest of handwriting by a clerk, and signed with a good bold "fist" by Mac——t. The latter's signature shows a perfect formation of each letter, though nothing of the copper-plate look about it—it has a style betokening great character and culture in a well-bred man. It is dated "22 June 1896." Of two codicils by far the longest is that dated "13 May 1898," which includes the long religious rigmarole from which I shall quote presently. It is signed by him with a very shaky hand; he died in June 1899.

After describing himself as "of P—— Hall and L——, in the County of Fife, Advocate, Edinburgh," he appoints three executors, one a S.S.C., another an inspector of one of the big banks, and a third an engineer of Greenside. Any further trustees appointed at a future date must be "of good moral and Christian character to act as trustees along with the others," so he puts it. Less than a month afterwards, in a codicil, one of those three trustees was sent flying, no reason being given for the flight. His "properties situated in Edinburgh and Leith and also in the Counties of Midlothian and Fife" were to be looked after for the benefit of two relatives and two missions, the miners' and the "Free Presbyterian Church." His estate amounted to £10,774, 18s. 9d. (I have gathered from a reliable source that his income varied from £600 to £1000 per annum), and the bulk of the interest derived from his estate was to go to the Free Presbyterian Church (~~afterwards the "Little Frees"~~), while a niece, the daughter of ~~his~~ deceased ~~doctor~~ brother, was to receive an annuity of £100, and another niece, the daughter of his sister, £50 per annum. A legacy of £20 fell to a nephew in Brisbane, Australia, "his circumstances not requiring more" (at least, that was the uncle's opinion expressed in the will!). The nephew would hear how the Church had benefited, and that even the Society for Prevention of Cruelty to Animals received £80 more than he himself did, and that another home for animals in Edinburgh was left £50. There is, however, a touching allusion in the will to his native

parish—he bequeathed "£200 for poor families in Ratho, the parish of my birth." Mac——t did not forget the fiddles, too—"one of my violins and bows to H——M——," who also had the option of selecting "a single picture out of my collection [of rubbish] without any consideration being made therefor."

We note that his "cook and table-maid" were the witnesses to the long codicil. Mac——t was evidently a great freethinker, as the following passage from this codicil will show. His trustees were "*to spend the free annual income of my Estate in manner after mentioned for the promotion of one or other or both of the following Missions the residue of my Estate to form a capital fund for the same viz.* (1) *the Mission to the Miners of Scotland promoted or being promoted by the Reverend Doctor* —— (2) *the Home Mission in connection with the Free Presbyterian Church of Scotland but not with the Established Church of Scotland which will be ultimately abolished such Church holding the Westminster Confession of Faith and Standards or adopt the false principle of Abstinence and tamper with the administration of the Lord's Supper such grant from my Estate shall cease and determine and in that event my Trustees shall pay the free annual income of my Estate to such religious or charitable purposes as they may think proper*," etc. etc. The above is not punctuated, and is somewhat strangely constructed, but it is clear enough.

I never heard anyone talk of an *affaire du cœur* in connection with Mac——t. I have recently set eyes on a couple of photographs, taken in the fifties, which show him up as a tall, slim, and particularly well-groomed and well-dressed man, so much so that we might presume someone else must have been "in the 'running'" at one time. Anyway, he died a bachelor. Whatever he may have been during his lifetime, no one who has read his will can say that he left the world without being voluntarily charitable to posterity, even though that charity on the whole did not extend towards his relatives. Strange to relate, there is absolutely nothing in his will to recall the prevailing hobby of his long life—no legacy, for instance, to the Hunt Servants' Benefit Society! His solicitor and chief executor, however, was an old hunting friend, and to him he bequeathed one of his violins. When Mac——t "resigned the pink," Rosinante, the last of his hunters, was doubtless sent to the kennels to feed the hounds—and he'd be sure to take the ten shillings allowed for her bag of bones! *Sic transit gloria mundi.*

But he passes, at any rate, into Hunt history to live there over again: in the files of some of the local papers his name appears, and the author of *The History of the Linlithgow and Stirlingshire Hunt* alludes thus to him—"Although noted for his parsimony, he was undoubtedly a lover of the chase." The same author quotes from the *Edinburgh Courant*, of 24th January 1884, which records a good run, after a meet at Hillwood House, by Ratho, in which Mac——t figures as one of half a dozen who were up at the finish. They found a fox in the Barracks covert, Livingstone, and, though they changed foxes, hounds ran continuously for an hour and forty-five minutes. A Miss Mackenzie was amongst the half dozen, so were Mr (now Colonel) C. T. Menzies, afterwards master of the Berwickshire, and Mr J. C. Munro of Marchbank, eventually a master of several good packs in England.

How many times, if any, Mac——t walked the floor of Parliament House when

Alison was consulting authorities for his *History of Europe* in the Advocates' Library below, and when Jeffrey and Cockburn were on the bench, the writer is unprepared to say, but he does know that he was admitted to the Faculty of Advocates as far back as 1841 ; and the very next above him in the list of advocates living in that year is George Young (*b.* 1819, *d.* 1907), who was admitted in 1840 along with W. E. Aytoun, author of *Lays of the Scottish Cavaliers*. Young was twice Solicitor-General, and also Lord Advocate, and became a Judge, with the title Lord Young. A lawyer son of the latter used to hunt with the L. and S., and he was one of those who was very keen that I should do a good sketch of Mac——t from life.

Only a few days ago, in Parliament House, I came across an advocate of over forty years' standing who told me that he had never seen Mac——t in wig and gown, though he was known to frequently turn over the pages of a book in the advocates' reading-room. "We were all ashamed of him," said my K.C. acquaintance. An official there assured me that after Mac——t's visits to the reading-room the windows had to be opened—so strong a taint of the old cloes shop and stable did he leave behind him wherever he went.

G. A. F.

24th June 1924. Cramond Bridge, West-Lothian

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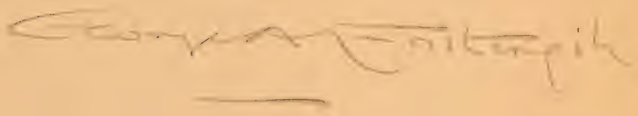
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Mary Fulkerson,
with Daddy's best love
25. 8. 24

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We note that his "cook and table-maid" were the witnesses to the long codicil. Mac——t was evidently a great Free Kirker, as the following passage from this codicil will show. His trustees were "*to spend the free annual income of my Estate in manner after mentioned for the promotion of one or other or both of the following Missions the residue of my Estate to form a capital fund for the same viz.* (1) *the Mission to the Miners of Scotland promoted or being promoted by the Reverend Doctor* —— (2) *the Home Mission in connection with the Free Presbyterian Church of Scotland but not with the Established Church of Scotland which will be ultimately abolished such Church holding the Westminster Confession of Faith and Standards or adopt the false principle of Abstinence and tamper with the administration of the Lord's Supper such grant from my Estate shall cease and determine and in that event my Trustees shall pay the free annual income of my Estate to such religious or charitable purposes as they may think proper*," etc. etc. The above is not punctuated, and is somewhat strangely constructed, but it is clear enough.

I never heard anyone talk of an *affaire du cœur* in connection with Mac——t. But I have recently set eyes on two small photographs, taken in the forties, which show him up as a tall, slim, and particularly well-groomed, well-dressed man, so much so that we might presume someone else must have been "in the 'running'" at one time. Anyway, he died a bachelor. Whatever he may have been during his lifetime, no one who has read his will can say that he left the world without being voluntarily charitable to posterity, even though that charity on the whole did not extend towards his relatives. Strange to relate, there is absolutely nothing in his will to recall the prevailing hobby of his long life—no legacy, for instance, to the Hunt Servants' Benefit Society! His solicitor and chief executor, however, was an old hunting friend, and to him he bequeathed one of his violins. When Mac——t "resigned the pink," Rosinante, the last of his hunters, was doubtless sent to the kennels to feed the hounds—and he'd be sure to take the ten shillings allowed for her bag of bones! *Sic transit gloria mundi.*

But he passes, at any rate, into Hunt history to live there over again: in the files of some of the local papers his name appears, and the author of *The History of the Linlithgow and Stirlingshire Hunt* alludes thus to him—"Although noted for his parsimony, he was undoubtedly a lover of the chase." The same author quotes from the *Edinburgh Courant*, of 24th January 1884, which records a good run, after a meet at Hillwood House, by Ratho, in which Mac——t figures as one of half a dozen who were up at the finish. They found a fox in the Barracks covert, Livingstone, and, though they changed foxes, hounds ran continuously for an hour and forty-five minutes. A Miss Mackenzie was amongst the half dozen, so were Mr (now Colonel) C. T. Menzies, afterwards master of the Berwickshire, and Mr J. C. Munro of Marchbank, eventually a master of several good packs in England.

How many times, if any, Mac——t walked the floor of Parliament House when Alison was consulting authorities for his *History of Europe* in the Advocates' Library below,

and when Jeffrey and Cockburn were on the bench, the writer is unprepared to say, but he does know that he was admitted to the Faculty of Advocates as far back as 1841 ; and the very next above him in the list of advocates living in that year is George Young (*b.* 1819, *d.* 1907), who was admitted in 1840 along with W. E. Aytoun, author of *Lays of the Scottish Cavaliers*. Young was twice Solicitor-General, and also Lord Advocate, and became a Judge, with the title Lord Young. A lawyer son of the latter used to hunt with the L. and S., and he was one of those who was very keen that I should do a good sketch of Mac——t from life.

Only a few days ago, in Parliament House, I came across an advocate of over forty years' standing who told me that he had never seen Mac——t in wig and gown, though he was known to frequently turn over the pages of a book in the advocates' reading-room. "We were all ashamed of him," said my K.C. acquaintance. An official there assured me that after Mac——t's visits to the reading-room the windows had to be opened—so strong a taint of the old cloes shop and stable did he leave behind him wherever he went.

As to his parentage, no one whom I had come across knew anything about it. Quite by chance I found it out in this way. A distinguished Edinburgh citizen and lawyer, who was acquainted with both him and one of his brothers, was telling me some good tales about them both, and it occurred to him that the brother's name and parentage would be in the big W.S. book. We found it there. The Reverend T. Mac——t, D.D., minister of "Old Church, Edinburgh," was the father of several sons and daughters, including the hero of this brochure, whose W.S. brother, "of Dalsraith" (there is a *Dalraith* near Kilmarnock), died in 1878,—and it is in 1879 that Mac——t is first mentioned as a subscriber (!) to the L. and S. Hunt. The brother was married to a daughter of a naval commander, of Myrecadruie and Vellore, and was apparently of a literary turn, for we find him editing memoirs of Sir Ewen Cameron of Lochiel, in 1848, for the Abbotsford and Maitland Clubs. One of Mac——t's ~~sisters~~ nieces was the wife of the Right Hon. Sir C. S. S——, G.C.B., G.C.M.G., our ambassador at St Petersburg, Russia ; and another one married a major of the Royal Artillery. The family of Mac——t was much scattered at the end of last century : I gather that relatives of his existed under various suns—in New Jersey, U.S.A. ; New Zealand ; at Warrnambool, Victoria ; in South Africa, and in the Canary Islands.

Before closing these notes I must give one good anecdote, obtained from a reliable source—some of the other stories I have heard, such as that telling of an old shirt being found on him at a Turkish bath after his back had been well scrubbed down, are somewhat incredulous, and we have heard of them being applied to other parsimonious and dirty people. Many years ago the late Mr T—— H——, W.S., was coming home from hunting when Mac——t persisted in riding very close to him on the side from which the wind came. Said the W.S. to the Advocate, "Mr Mac——t, you may ride before me, or you may ride behind me, but I'm damned if you shall ride by my side !"

CRAMOND BRIDGE, WEST LOTHIAN. 24 *June* 1924. G. A. F.

Printed by Neill & Co., Ltd., Edinburgh.

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AN ADVOCATE OF THE PAST RESIGNING THE PINK



BY GEORGE A. FOTHERGILL, 1924

2nd proof revised by me

Eric Gill

11 July 1924.

Edition limited to 250 copies
printed in Britain for the Author by
Neill & Co., Ltd.
Edinburgh. *MCMXXIV.*

George A Fothergill

This is the only copy of this book not containing my signature printed. The printers had a line block made of it, but I decided to sign each copy myself.

AN ADVOCATE OF THE PAST RESIGNING THE PINK

Aye, lang I've follow'd here my fond desire—
Lang, lang I've luv'd tod-huntin',
An' luv'd to ride the horse 'at I admeir,
An' sport wi' naethin' dauntin'.

Hoo aften ha'e I donn'd the pink an' white,
An' seen us gayly meetin';
Hoo aften ha'e I seen the pleasin' sicht
O' the L. and S. hunds fleetin'.

I've joinèd i' the harum-scarum ride—
The up-an'-doon wind scramble—
An' hursl'd through the fences weel astride
Aboon the gruppin' bramble.

Yon Maiden's crack o' whup an' Ned's clear ca's,
The lang straight rins an' doubles,
The swing-gatts an' the hefty whunstane wa's
('At mebbe brought us troubles)—

I mind 'em a', an' the whustlin' burns i' spate,
The deep an' divilish ditches,—
An' whiles a fa'—tae stang my happy state
Ahint the tunefu' bitches.

Whan harkin' back I'm fu' o' nae remorse,—
My youth was gi'en for courtin'
The plizzurs o' the chase, o' hund an' horse,
An' a' the lave 'at's sportin'.

Noo, age an' I the pink resign to youth—
The link maun shortly sever;
But while I've life an' mem'ry left, forsooth
I'll hunt i' thocht for ever.

THE above rhyme was written at the end of October 1911, just when the last leaves were falling and the writer was beginning to think he might never again enjoy a run with hounds. He had also been raking together some old memories of his early hunting days, and amongst them stand out in bold relief a tall, gaunt sportsman of the old school, a Scotsman to the backbone. His last season (1892–3) with the Linlithgow and Stirlingshire was my first and only one on this side of the Border; but I do not think he was out with us on more than three or four days, and then he rode his own solitary line

through gates and gaps pretty wide of the "field." He was never known on those days to speak to a soul excepting on one occasion, when he asked a plough-boy to hold his mare's rein for a few minutes so that he might recover his breath—the old fellow was at least seventy-six. A link with the historic hunting past, he had been in the field with the famous Mr Ramsay of Barnton, who, dying in 1850, left the reins of office in the hands of Mr James Sandilands, the late Lord Torphichen's uncle. What an interesting line of masters from about 1845 onwards for old Mac——t to have been able to recall! Let me give the names, with dates of their mastership, of the Linlithgow and Stirlingshire XI who were all known to him:—W. R. Ramsay of Barnton (1830–50), Hon. James Sandilands (1850–65), Charles Ramsay of Barnton (1865–6), Captain A. Gillon of Wallhouse (1866–9), H. W. Hope of Luffness (1869–71), James Hope (1871–7), Captain W. Wauchope of Niddrie (1877–81), James Russel of Dundas (1881–4), J. G. Menzies (1884–7), Captain George Cheape of Wellfield (1887–90), and Adam P. Cross (1890–5), who was succeeded by a triumvirate, the brothers Usher, who had, I believe, all been entered to hounds in the L. and S. country and knew Mac——t from their pony days.

When a much younger man Mac——t was very game and rode to hounds with considerable dash and a fair amount of judgment. It was he of whom I thought while scribbling down my rhyme, though the huntsman, Ned Cotesworth (he was first whip in 1893), and whipper-in, Harry Maiden (second whip in 1893), to whom I allude, were not with this pack in Mac——t's "palmy" days. Looked upon as the greatest character in the whole Hunt, he turned out in an ancient pink coat, so ancient that it must have been drenched with the rains of at least five-and-twenty seasons—some went so far as to say it was the first and last he ever ordered at his tailor's—it certainly looked as if it had never known the loving care of a valet. Whether he in his old age required a little extra warmth, or felt that his whilom "coat so gay" was not so smart in appearance as it once was, I know not, but he invariably had on as well a dust-coloured covert-coat, with just the blue-stained tails of the pink one peeping out below. If I mistake not, he wore "Napoleons" and not the conventional top-boots of the period; his breeches were of a dull, khaki-coloured Bedford cord (which saved him the cost of many a washing). As to his hat, it resembled somewhat in shape and texture a postillion's beaver—no brush could have been near it for years; it was black, or meant to be so, and even when struck by the sun showed no more gloss upon it than does a pot of sable wedgwood. Beneath it was a broad, massive forehead with regular and striking features, and eyes betokening

much intelligence ; but the owner of them spared the razor (as he spared many other things), and the should-be clean-shaven chin was by no means denuded of all its hair—at least a week's growth was visible there when last I set eyes on him, reminding me of a former Earl of M—— whom I knew slightly and of whom "Jehu Junior" of *Vanity Fair* said in his biography of him accompanying "Spy's" cartoon, "He doesn't shave often enough."

By profession the subject of this sketch was an advocate (whether a briefless one or not I am unprepared to say), and owned and lived in a good house in A—— Street in Edinburgh. Of the whereabouts of his stable most of us were in utter ignorance, though one authority (?) assured me it was "a grass field in the vicinity of Pilrig," and that Mac——t was his own stud-groom and strapper combined! We all knew, however, that in 1893 he only possessed one hunter, a gallant beast of its sort, quixotic in form and white in coat—very impure white about the legs, belly, and ribs (soft soap and powdered charcoal were an unknown quantity in that evergreen stable)—and, like a Sheltie, natural as to its length. The old sport was no *advocate* for the "scissors," and would have you believe that his reason for this was based entirely on a disbelief in the theory of clipping for horses of any kind,—a sound enough opinion so far as a well-strapped-down thoroughbred is concerned, but apparently it did not occur to him that the strain of his Rosinante had probably not had one single ounce of "blue blood" added to it for at least a century, and a clip all over would have done her no harm and helped to check that profuse sweating for which she was noted in the hunting-field. At one time, about a hundred years ago, it was most unusual—at least in the Provinces, as opposed to the Shires—to clip a hunter, and the old fashion, perhaps I should rather say the natural state of things, must have lingered on in Mac——t's stable, though we suspect his chief reason for not believing in the "scissors" and not keeping up with the times was again a question of £ s. d. At that period it would have cost him half a guinea or more to have a professor-in-the-art-of-clipping engaged over his old white beast ; time was when sportsmen had to pay a couple of sovereigns even to have a racehorse shaved, as this was invariably done at night, half-a-dozen tall church candles lighting up the proceedings, and four men employed, two of them, each armed with a pair of scissors, cutting at the same time on different parts of the animal.

There was certainly a perfect harmony, and a splash of poetry besides if not of a very polished order, in this ancient pair—like master, like mare (unless the old screw was a gelding, and at this time I cannot be quite certain of the sex). For that very reason Mac——t and his hunter were a marked couple, and

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and when Jeffrey and Cockburn were on the bench, the writer is unprepared to say, but he does know that he was admitted to the Faculty of Advocates as far back as 1841 ; and the very next above him in the list of advocates living in that year is George Young (*b.* 1819, *d.* 1907), who was admitted in 1840 along with W. E. Aytoun, author of *Lays of the Scottish Cavaliers*. Young was twice Solicitor-General, and also Lord Advocate, and became a Judge, with the title Lord Young. A lawyer son of the latter used to hunt with the L. and S., and he was one of those who was very keen that I should do a good sketch of Mac——t from life.

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Before closing these notes I must give one good anecdote, obtained from a reliable source—some of the other stories I have heard, such as that telling of an old shirt being found on him at a Turkish bath after his back had been well scrubbed down, are somewhat incredulous, and we have heard of them being applied to other parsimonious and dirty people. Many years ago the late Mr T—— H——, W.S., was coming home from hunting when Mac——t persisted in riding very close to him on the side from which the wind came. Said the W.S. to the Advocate, "Mr Mac——t, you may ride before me, or you may ride behind me, but I'm damned if you shall ride by my side!"

Cramond Bridge, West Lothian. 24 *June* 1924. G. A. F.

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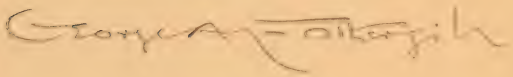
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AN ADVOCATE OF THE PAST RESIGNING THE PINK

BY GEORGE A. FOTHERGILL 1924

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& S. Days.'
Fothergill.



'"*PAGANINI*" *in his L. & S. Days.*'
From the picture by G. A. Fothergill.

AN ADVOCATE OF THE PAST
RESIGNING THE PINK

Aye, lang I've follow'd here my fond desire—
Lang, lang I've luv'd tod-huntin',
An' luv'd to ride the horse 'at I admeir,
An' sport wi' naethin' dauntin'.

Hoo aften ha'e I donn'd the pink an' white,
An' seen us gayly meetin';
Hoo aften ha'e I seen the pleasin' sicht
O' the L. and S. hunds fleetin'.

I've joinèd i' the harum-scarum ride—
The up-an'-doon wind scramble—
An' hursl'd through the fences weel astride
Aboon the gruppin' bramble.

Yon Maiden's crack o' whup an' Ned's clear ca's,
The lang straight rins an' doubles,
The swing-gatts an' the hefty whunstane wa's
('At mebbe brought us troubles)—

I mind 'em a', an' the whustlin' burns i' spate,
The deep an' divilish ditches,—
An' whiles a fa'—tae stang my happy state
Ahint the tunefu' bitches.

Whan harkin' back I'm fu' o' nae remorse,—
My youth was gi'en for courtin'
The plizzurs o' the chase, o' hund an' horse,
An' a' the lave 'at's sportin'.

Noo, age an' I the pink resign to youth—
The link maun shortly sever;
But while I've life an' mem'ry left, forsooth
I'll hunt i' thocht for ever.

THE above rhyme was written at the end of October 1911, just when the last leaves were falling and the writer was beginning to think he might never again enjoy a run with hounds. He had also been raking together some old memories of his early hunting days, and amongst them stood out in bold relief a tall, gaunt sportsman of the old school, a Scotsman to the backbone. His last season (1892–3) with the Linlithgow and Stirlingshire was my first and only one on this side of the Border; but I do not think he was out with us on more than three or four days, and then he rode his own solitary line

through gates and gaps pretty wide of the field. He was never known on those days to speak to a soul excepting on one occasion, when he asked a plough-boy to hold his mare's rein for a few minutes so that he might recover his breath—the old fellow was at least seventy-six. A link with the historic hunting past, he had been in the field with the famous Mr Ramsay of Barnton, who, dying in 1850, left the reins of office in the hands of Mr James Sandilands, the late Lord Torphichen's uncle. What an interesting line of masters from about 1845 onwards for old Mac——t to have been able to recall! Let me give the names, with dates of their mastership, of the Linlithgow and Stirlingshire XI who were all known to him:—W. R. Ramsay of Barnton (1830–50), Hon. James Sandilands (1850–65), Charles Ramsay of Barnton (1865–6), Captain A. Gillon of Wallhouse (1866–9), H. W. Hope of Luffness (1869–71), James Hope (1871–7), Captain W. Wauchope of Niddrie (1877–81), James Russel of Dundas (1881–4), J. G. Menzies (1884–7), Captain George Cheape of Wellfield (1887–90), and Adam P. Cross (1890–5), who was succeeded by a triumvirate, the brothers Usher, who had, I believe, all been entered to hounds in the L. and S. country and knew Mac——t from their pony days.

When a much younger man Mac——t was very game and rode to hounds with considerable dash and a fair amount of judgment. It was he of whom I thought while scribbling down my rhyme, though the huntsman, Ned Cotesworth (he was first whip in 1893), and whipper-in, Harry Maiden (second whip in 1893), to whom I allude, were not with this pack in Mac——t's "palmy" days. Looked upon as the greatest character in the whole Hunt, he turned out in an ancient pink coat, so ancient that it must have been drenched with the rains of at least five-and-twenty seasons—some went so far as to say it was the first and last he ever ordered at his tailor's—it certainly looked as if it had never known the loving care of a valet. Whether he in his old age required a little extra warmth, or felt that his whilom "coat so gay" was not so smart in appearance as it once was, I know not, but he invariably had on as well a dust-coloured covert-coat, with just the blue-stained tails of the pink one peeping out below. If I mistake not, he wore "Napoleons" and not the conventional top-boots of the period; his breeches were of a dull, khaki-coloured Bedford cord (which saved him the cost of many a washing). As to his hat, it resembled somewhat in shape and texture a postillion's beaver—no brush could have been near it for years; it was black, or meant to be so, and even when struck by the sun showed no more gloss upon it than does a pot of sable wedgwood. Beneath it was a broad, massive forehead with regular and striking features, and eyes betokening

much intelligence ; but the owner of them spared the razor (as he spared many other things), and the should-be clean-shaven chin was by no means denuded of all its hair—at least a week's growth was visible there when last I set eyes on him, reminding me of a former Earl of M——— whom I knew slightly and of whom "Jehu Junior" of *Vanity Fair* said in his biography of him accompanying "Spy's" cartoon, "He doesn't shave often enough."

By profession the subject of this sketch was an advocate (whether a briefless one or not I am unprepared to say), and owned and lived in a good house in A——— Street in Edinburgh. Of the whereabouts of his stable most of us were in utter ignorance, though one authority (?) assured me it was "a grass field in the vicinity of Pilrig," and that Mac——t was his own stud-groom and strapper combined! We all knew, however, that in 1893 he only possessed one hunter, a gallant beast of its sort, quixotic in form and white in coat—very impure white about the legs, belly, and ribs (soft soap and powdered charcoal were an unknown quantity in that evergreen stable)—and, like a Sheltie, natural as to its length. The old sport was no *advocate* for the "scissors," and would have you believe that his reason for this was based entirely on a disbelief in the theory of clipping for horses of any kind,—a sound enough opinion so far as a well-strapped-down thoroughbred is concerned, but apparently it did not occur to him that the strain of his Rosinante had probably not had one single ounce of "blue blood" added to it for at least a century, and a clip all over would have done her no harm and helped to check that profuse sweating for which she was noted in the hunting-field. At one time, about a hundred years ago, it was most unusual—at least in the Provinces, as opposed to the Shires—to clip a hunter, and the old fashion, perhaps I should rather say the natural state of things, must have lingered on in Mac——t's stable, though we suspect his chief reason for not believing in the "scissors" and not keeping up with the times was again a question of £ s. d. At that period it would have cost him half a guinea or more to have a professor-in-the-art-of-clipping engaged over his old white beast ; time was when sportsmen had to pay a couple of sovereigns even to have a racehorse shaved, as this was invariably done at night, half-a-dozen tall church candles lighting up the proceedings, and four men employed, two of them, each armed with a pair of scissors, cutting at the same time on different parts of the animal.

There was certainly a perfect harmony, and a splash of poetry besides if not of a very polished order, in this ancient pair—like master, like mare (unless the old screw was a gelding, and at this time I cannot be quite certain of the sex). For that very reason Mac——t and his hunter were a marked couple, and

appealed strongly to anyone of an artistic turn of mind. The late "Jack" Drybrough, of polo fame, who had been acquainted with the old advocate since he (W. J. D.) was a child, begged me to go and call on him in A—— Street and persuade him to sit for his portrait: "Prints of that equestrian group," said he, a brewer's son, "would sell like pots of beer!"

With that object in view, then, I went to call on him. The front door was opened (after I had rung several times) by a civil old housekeeper—the only servant he kept at that time. It was 11 A.M., and Mr Mac——t was still reposing—"He has naethin' in partic'lar to git up for," his housekeeper remarked, as she led the way and showed me straight into the only room he occupied in the whole house—the large dining-room on the left, where he fed, read, fiddled (he was a great violinist), and slept. The old fellow did not seem to be in the least surprised at seeing a stranger step into his bedroom-sitting-room, but just rubbed his eyes and drowsily rose from a big antique sofa covered with horse-hair, threw back a rug—more like a bit of ragged horse-clothing than anything else—got on to his shanks, came rather unwillingly forward, and grasped my hand. I gathered afterwards that he was frequently in the habit of going to bed in his day-things without changing into a nightshirt (this, of course, saved extra washing). He seemed to have become rather miserly in his ways, shutting himself off from social converse and exhibiting no very cordial fellow-feeling, though I must say, so far as I was concerned, he warmed up a little when I led him on to the subject of fox-hunting, and he seemed not altogether displeased at having his memory-strings pulled a bit about people and things of the past.

I could not help taking stock of what I saw in that strange apartment, in appearance something between an old cloes shop and a Dutch interior—his "wardrobe" scattered about on the backs of chairs and on the floor at one end of the room, and victuals, or what remained of them, books, papers, crockery, etc., all jumbled up together at the other end. Even at that time of day the light was dim in the room—the windows hadn't had a leather over them for ages. There was no order or tidiness whatever about the place, and everything wore a jaded and melancholy look. If any "flowers of love, of hope, or joy" ever sprang up from the dust and dirt of that miserable room, they must have bloomed only to wither in a moment!

But withal, I could see I was in the presence of a cultured gentleman, whose nature seemed to have taken a curious twist. It was obvious his ruling motive, if it aimed at nothing else, was singularity,—and at that time he was all but a recluse in the midst of a big city. For all I know to the

contrary, he might at one time have been a busy, flourishing advocate, with his home in order, servants at his beck and call, and all his belongings well cared for. But when I went to see him, though he showed no symptoms of disease or even of fast-failing old age, I felt somehow that he was rapidly passing out of the world ; and the surroundings which I have endeavoured roughly to describe were those in which he selected to end his days.

I was told that Mac——t was a member of the Amateur Orchestral Society, and that he was looked upon as an unusually good violinist. He showed me some of his fiddles, and one in particular he said was of considerable value. He smiled when I told him I was acquainted with his favourite Joachim and had once, as a boy, played a practical joke on the world-famous musician by hiding for a time the old gold silk handkerchief that covered his precious violin. Far back in the century, so gossip would have it, Mac——t was one of the best-dressed and smartest-looking men in Modern Athens. There must still be old people about Parliament House and in musical circles who knew him in the sixties. He was certainly one of the most eccentric characters who ever donned a white wig and black flowing gown.

I remained chatting with the old man for close upon half an hour, and, besides other topics, discussed with good tact the main object of my visit. But thinking, no doubt, he might be called upon later to part with a few shillings for a print of the portrait I proposed doing of him, he resolutely declined to sit for it. So I thanked him for giving up his "valuable time" to me, and courteously wished him good-bye.

Some little time afterwards I heard of his death, and also that he had left property valued at something not far short of £60,000. This may have been hyperbolical — I felt sure it must have been ; anyway he died, to outsiders seemingly a pauper, a comparatively rich man.

Though he could speak Shakesperian English well, Mr Mac——t was equally at home in braid Scots, and the words I have purposely used in my rhyme, "Resigning the Pink," were frequently on his lips, so I was told. He was the first I ever heard use the expression *hefty wa'*, implying a big, strong wall, of which there were many in the Linlithgow and Stirlingshire country thirty years ago.

In the hunting-field he was known by the nickname of "Paganini," and by lawyers he was invariably called "Dir-rty Mac——t."

GEORGE A. FOTHERGILL.

WHEN I had finished this sketch of Mac——t, a friend to whom I showed it suggested that I should hunt up his will at the Record Office,—it might be a psychological curiosity, he added. This I did, and found it to be what he said.

Those who have sat day after day in the historic round room, with a diameter of fifty feet, beneath the dome of the Register House, designed by the famous Robert Adam, and handled will after will there, as well as the big leather-bound volumes containing copies of them, can no longer feel the many thrills that a perfect stranger to the place must experience when he makes his début in that noble building. The fee for consulting a copy of a will is 2s. 6d., and that for studying the will itself, 7s. 6d.; but if one requires to examine a will for literary purposes only, there is no charge made—No. 1 thrill for the stranger who is an author. No. 2 thrill must surely be the sight of the original with signature of the party who made the will; and then comes a series of thrills as one reads from beginning to end of the precious document. I had never been beneath that beautiful dome before, and Mac——t's was the first will I had ever handled; so that the thrills I enjoyed during my preliminary visit of an hour to the Scottish Record Office were not a few.

His will and codicils appear on four of the eight pages of hand-made paper, bound in a vellum wrapper. The will itself is inscribed very neatly indeed in the tiniest of handwriting by a clerk, and signed with a good bold "fist" by Mac——t. The latter's signature shows a perfect formation of each letter, though nothing of the copper-plate look about it—it has a style betokening great character and culture in a well-bred man. It is dated "22 June 1896." Of two codicils by far the longest is that dated "13 May 1898," which includes the long religious rigmarole from which I shall quote presently. It is signed by him with a very shaky hand; he died in June 1899.

After describing himself as "of P—— Hall and L——, in the County of Fife, Advocate, Edinburgh," he appoints three executors, one a S.S.C., another an inspector of one of the big banks, and a third an engineer of Greenside. Any further trustees appointed at a future date must be "of good moral and Christian character to act as trustees along with the others," so he puts it. Less than a month afterwards, in a codicil, one of those three trustees was sent flying, no reason being given for the flight. His "properties situated in Edinburgh and Leith and also in the Counties of Midlothian and Fife" were to be looked after for the benefit of two relatives and two missions, the miners' and the "Free Presbyterian Church." His estate amounted to £10,774, 18s. 9d. (I have gathered from a reliable source that his income varied from £600 to £1000 per annum), and the bulk of the interest derived from his estate was to go to the Free Presbyterian Church (that part of it now known as the "Wee Frees"), while a niece, the daughter of a deceased brother, was to receive an annuity of £100, and another niece, the daughter of his sister, £50 per annum. A legacy of £20 fell to a nephew in Brisbane, Australia, "his circumstances not requiring more" (at least, that was the uncle's opinion expressed in the will!). The nephew would hear how the Church had benefited, and that even the Society for Prevention of Cruelty to Animals received £80 more than he himself did, and that another home for animals in Edinburgh was left £50. There is, however, a touching allusion in the will to his native

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※ Some say they saw the carcase of the horse
From which his thrift had stripped the skin
(He would not give the huntsman this, of course,
If he could turn it into tin!)

and when Jeffrey and Cockburn were on the bench, the writer is unprepared to say, but he does know that he was admitted to the Faculty of Advocates as far back as 1841 ; and the very next above him in the list of advocates living in that year is George Young (*b.* 1819, *d.* 1907), who was admitted in 1840 along with W. E. Aytoun, author of *Lays of the Scottish Cavaliers*. Young was twice Solicitor-General, and also Lord Advocate, and became a Judge, with the title Lord Young. A lawyer son of the latter used to hunt with the L. and S., and he was one of those who was very keen that I should do a good sketch of Mac——t from life.

Only a few days ago, in Parliament House, I came across an advocate of over forty years' standing who told me that he had never seen Mac——t in wig and gown, though he was known to frequently turn over the pages of a book in the advocates' reading-room. "We were all ashamed of him," said my K.C. acquaintance. An official there assured me that after Mac——t's visits to the reading-room the windows had to be opened—so strong a taint of the old cloes shop and stable did he leave behind him wherever he went.

As to his parentage, no one whom I had come across knew anything about it. Quite by chance I found it out in this way. A distinguished Edinburgh citizen and lawyer, who was acquainted with both him and one of his brothers, was telling me some good tales about them both, and it occurred to him that the brother's name and parentage would be in the big W.S. book. We found it there. The Reverend T. Mac——t, D.D., minister of "Old Church, Edinburgh," was the father of several sons and daughters, including the hero of this brochure, whose W.S. brother, "of Dalsraith" (there is a *Dalraith* near Kilmarnock), died in 1878,—and it is in 1879 that Mac——t is first mentioned as a subscriber (!) to the L. and S. Hunt. The brother was married to a daughter of a naval commander, of Myrecadruie and Vellore, and was apparently of a literary turn, for we find him editing memoirs of Sir Ewen Cameron of Lochiel, in 1848, for the Abbotsford and Maitland Clubs. One of Mac——t's ~~sisters~~ was the wife of the Right Hon. Sir C. S. S——*, G.C.B., G.C.M.G., our ambassador at St Petersburg, Russia ; and another one married a major of the Royal Artillery. The family of Mac——t was much scattered at the end of last century : I gather that relatives of his existed under various suns—in New Jersey, U.S.A. ; New Zealand ; at Warrnambool, Victoria ; in South Africa, and in the Canary Islands.

Before closing these notes I must give one good anecdote, obtained from a reliable source*—some of the other stories I have heard, such as that telling of an old shirt being found on him at a Turkish bath after his back had been well scrubbed down, are somewhat incredulous, and we have heard of them being applied to other parsimonious and dirty people. Many years ago the late Mr T—— H——, W.S., was coming home from hunting when Mac——t persisted in riding very close to him on the side from which the wind came. Said the W.S. to the Advocate, "Mr Mac——t, you may ride before me, or you may ride behind me, but I'm damned if you shall ride by my side!"

CRAMOND BRIDGE, WEST LOTHIAN. 24 *June* 1924. G. A. F.

FIRST DIVISION.

July 21, 1924.

CLOSED RECORD

IN ACTION OF PUBLIC LIBEL
AT THE INSTANCE OF

A. GHOST
(Mac——t's Trustee),

AGAINST

GEORGE A. FOTHERGILL
A Graduate of the Faculties of Medicine, Literature, and Antiquities; and OTHERS.

In other words, there is now being published a BROCHURE, *beautifully printed on excellent paper, quarto in size, containing an* ESSAY *of about* 4000 *words, as well as a* POEM *in braid Scots, and a large and handsome* COLLOTYPE PLATE *of a famous equestrian group. It concerns the late Mac——t, Esquire, of P—— and of L——, in the County of Fife, Advocate, Edinburgh, and, in the whole history of Scotland, probably the only man ever known of whom it might truthfully be said, that he combined together in his constitution law, music, fox-hunting, parsimony, and dirt.*

Dr Fothergill is the author of twenty-five books, and has contributed extensively to magazines and the press. Besides this, over 2700 *different drawings of his have been published, and he is well known as an exhibitor at some of the chief galleries.*

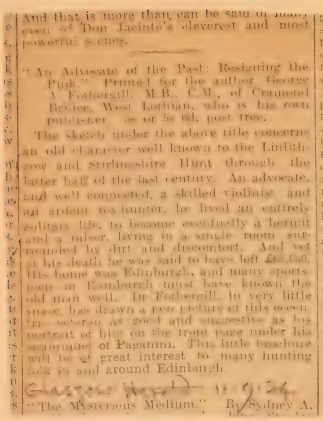
This edition of the Brochure is limited to 250 *copies, all signed by the author, and sells at* 5/- *each copy, or* 5/6 *post free.*

The work is likely to be of interest to those who follow the law profession, music, or the fox, and all who are members of that body of the Free Presbyterian Church now known as the "Wee Frees."

The author, who is his own publisher, would be glad if you would kindly give him an order, or place the order through a bookseller, at an early date.

G. A. FOTHERGILL, M.B., C.M.
CRAMOND BRIDGE,
WEST LOTHIAN.

Printed by Neill & Co., Ltd., Edinburgh.



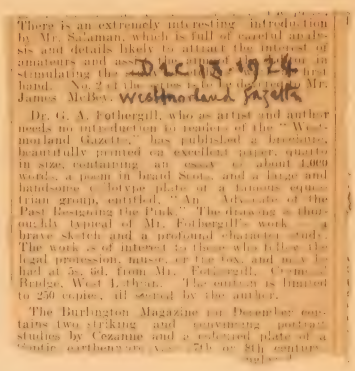
And that is more than can be said of many even of Don Lucinio's cleverest and most powerful sketches.

"An Advocate of the Past: Resigning the Pink." Printed for the author George A. Fothergill, M.B., C.M., of Cramond Bridge, West Lothian, who is his own publisher. 5s. or 5s. 6d. post free.

The sketch under the above title concerns an old character well known to the Linlithgow and Stirlingshire Hunt through the latter half of the last century. An advocate, and well connected, a skilled violinist and an ardent fox-hunter, he lived an entirely solitary life, to become eventually a hermit and a miser, living in a single room surrounded by dirt and discomfort. And yet at his death he was said to have left £6,000. His home was Edinburgh, and many sports-men in Edinburgh must have known the old man well. Dr Fothergill, in very little space, has drawn a pen picture of this eccentric veteran as quaint and suggestive as his portrait of him on the front page under his monogram of Paganini. This little brochure will be of great interest to many hunting folk in and around Edinburgh.

Glasgow Herald 11.9.24

"The Mysterious Medium." By Sydney A.



There is an extremely interesting introduction by Mr. Salaman, which is full of careful analysis and details likely to attract the interest of amateurs and assist the student. Much is in stimulating the [illegible] hand. No. 2 of the series is by the late Mr. James McBey.

D.C. 13.1924

Westmorland Gazette

Dr. G. A. Fothergill, who as artist and author needs no introduction to readers of the "Westmorland Gazette," has published a brochure, beautifully printed on excellent paper, quarto in size, containing an essay of about 4,000 words, a poem in broad Scots, and a large and handsome collotype plate of a famous equestrian group, entitled, "An Advocate of the Past Resigning the Pink." The drawing is thoroughly typical of Mr. Fothergill's work — a brave sketch and a profound character study. The work is of interest to those who follow the legal profession, music, or the fox, and may be had at 5s. 6d. from Mr. Fothergill, Cramond Bridge, West Lothian. The edition is limited to 250 copies, all signed by the author.

The Burlington Magazine for December contains two striking and convincing portrait studies by Cezanne and a coloured plate of a [illegible] earthenware [illegible] 7th or 8th century [illegible]

The Times

18.9.24

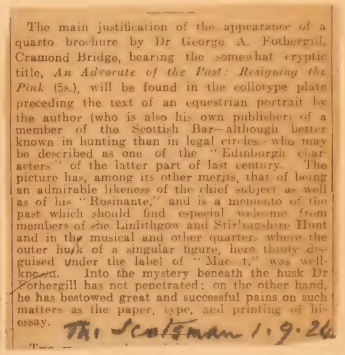
TIMES LITERARY SUPPLEMENT,

with abundance of personal detail and pen portraits of its leading figures.

S. —

AN ADVOCATE OF THE PAST RESIGNING THE PINK. By GEORGE A. FOTHERGILL. 11½×9, 8 pp. West Lothian: Author, Cramond Bridge. 5s. n.

A sketch of a sportsman of the old school, a well-known figure with the Linlithgow and Stirlingshire, whose last season with them was in 1892-3, when he must have been about 76. He died in 1899. Mr. Fothergill gives a sympathetic account of the old fellow, accompanied by some verses and a picture of "Paganini," as he was called from his love of his violin.



The main justification of the appearance of a quarto brochure by Dr George A. Fothergill, Cramond Bridge, bearing the somewhat cryptic title, *An Advocate of the Past: Resigning the Pink* (5s.), will be found in the collotype plate preceding the text of an equestrian portrait by the author (who is also his own publisher) of a member of the Scottish Bar—although better known in hunting than in legal circles—who may be described as one of the "Edinburgh characters" of the latter part of last century. The picture has, among its other merits, that of being an admirable likeness of the chief subject as well as of his "Rosinante," and is a memento of the past which should find especial welcome from members of the Linlithgow and Stirlingshire Hunt and in the musical and other quarters where the outer husk of a singular figure, here thinly disguised under the label of "Mac—," was well-known. Into the mystery beneath the husk Dr Fothergill has not penetrated: on the other hand, he has bestowed great and successful pains on such matters as the paper, type, and printing of his essay.

The Scotsman 1.9.24

Presented to me by
W. Sutherland McKay Esq, S.S.C.
Edinburgh
1924

FIRST DIVISION.

[LORD LOW, Ordinary.

October 16, 1900.

CLOSED RECORD

IN THE COMPETITION

in Action of MULTIPLEPOINDING

AT THE INSTANCE OF

HUGH MARTIN

(*A. E. Macknight's Trustee*),

AGAINST

THE REVEREND GEORGE MACKAY AND OTHERS, representing 'The Free Presbyterian Church of Scotland'; and OTHERS.

HUGH MARTIN & MCKAY, S.S.C., Agents for Pursuer and Real Raiser, and also for him as a Claimant.

COWAN & DALMAHOY, W.S., Agents for Claimants, the Home Mission Committee, and the Miners' Mission of "The Free Church of Scotland."

P. GARDINER GILLESPIE, S.S.C., Agent for "The Free Presbyterian Church of Scotland."

MR VEITCH, Clerk.

16*th October*, 1900.—LORD LOW.—*Act.* CHREE.—*Alt.* COOPER.—The Lord Ordinary closes the Record on the Summons and Condescendences and Claims, Nos. 1, 8, 9, 10 and 15 of Process, and appoints the cause to be enrolled in the Procedure Roll.

A. LOW.

CLOSED RECORD

IN THE COMPETITION

in the Action of MULTIPLEPOINDING

A. & D. PADON, Printers, 13 St. Andrew Square.

AT THE INSTANCE OF

HUGH MARTIN, Solicitor Supreme Courts, Edinburgh, Sole Trustee, accepting and acting under the Trust Disposition and Settlement and Codicils of the late ALEXANDER EDWARD MACKNIGHT, Advocate, Edinburgh, dated respectively 22nd June and 13th July, 1896, and 13th May, 1898, and all Registered in the Books of Council and Session, 13th June, 1899,—*Pursuer and Real Raiser;*

AGAINST

The REVEREND GEORGE MACKAY, Stornoway, Moderator; the REVEREND JOHN MACLEOD, Ullapool, Clerk of Synod; and ANGUS CLUNAS, 18 Ardconnel Terrace East, Inverness, Treasurer, all of the body styling itself, 'The Free Presbyterian Church of Scotland,' and representing said Church; and OTHERS,—*Defenders.*

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CLOSED RECORD.

I.—SUMMONS.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to , Messengers-at-Arms, our Sheriffs in that part, conjunctly and severally, specially constituted, greeting.—Whereas it is humbly meant and shown to us by our lovite, HUGH MARTIN, Solicitor Supreme Courts, Edinburgh, sole trustee accepting and acting under the Trust-Disposition and Settlement and Codicils of the late Alexander Edward Macknight, advocate, Edinburgh, dated respectively 22nd June and 13th July, 1896, and 13th May, 1898, and all registered in the Books of Council and Session, 13th June, 1899,—*Pursuer and Real Raiser;* against (*first*) The Reverend GEORGE MACKAY, Stornoway, moderator; The Reverend JOHN MACLEOD, Ullapool, clerk of synod; and ANGUS CLUNAS, 18 Ardconnel Terrace East, Inverness, treasurer, all of the body styling itself, 'The Free Presbyterian Church of Scotland,' and representing said Church; (*second*) The Reverend ROBERT HOWIE, M.A., Minister of St. Mary's Free Church, Govan, convener; THOMAS BINNIE, valuator, 207 Hope Street, Glasgow, vice-convener; and the Rev. ANDREW MELVILLE, D.D., Free Church Offices, Edinburgh, secretary, all of the Home Mission Committee of the General Assembly of the Free Church of Scotland, and representing the said committee, said committee having charge of the Home Mission and of the Miners' Mission of the said Free Church of Scotland; and ALEXANDER ELLISON ROSS, general treasurer, of the Free Church of Scotland, and as such, treasurer of the Home Mission Fund of the said church; (*third*) 'The 'Mission to the Miners of Scotland, promoted or being promoted 'by the Reverend Doctor JAMES HOOD WILSON, of Edinburgh,'

as represented by the said Reverend Doctor James Hood Wilson, Minister of the Barclay Free Church, Edinburgh; and (*fourth*) Christian Crawfurd Hamilton, presently residing at Ensay, North Gippsland, in the Colony of Victoria, Australia, or elsewhere furth of Scotland; Thomas Macknight Hamilton, squatter, residing at Ensay, aforesaid, or elsewhere furth of Scotland; John Campbell Hamilton, sometime residing at Mozufferpore, Tirhoot, Behar, India, but whose present address is to the pursuer unknown; Mrs Margaret Elizabeth Sims or Macknight, residing at 314 River Terrace, Hoboken, New Jersey, U.S.A., widow, and executrix dative of the late Thomas Macknight Macknight, sometime master in the service of the Atlas Steamship Company, New York, afterwards lieutenant in the navy of the United States of America, or elsewhere furth of Scotland; Mrs Helen Macknight or Raikes, widow, residing at 2 Glenan Gardens, Helensburgh; Dame Christian Crawfurd Macknight or Scott, wife of and residing with the Right Honourable Sir Charles Stewart Scott, G.C.B., G.C.M.G., our ambassador at St. Petersburg, Russia, or elsewhere furth of Scotland, and the said Right Honourable Sir Charles Stewart Scott, as husband and administrator-in-law of his said wife and for his interest; Mrs Agnes Macknight or Stuart, wife of Alexander Ramsay Stuart, Major, Royal Artillery, presently in South Africa, and the said Alexander Ramsay Stuart, as husband and administrator-in-law of his said wife, and for his interest, but the present address of the said Mrs Agnes Macknight or Stuart is to the pursuer unknown; Louisa Grant Macknight, residing at 2 Glenan Gardens, Helensburgh; Mrs Alison Clephane Macknight or Somerville, wife of David Maitland Makgill Crichton Somerville, residing at 21 Bogstad Veien, Christiania, Norway, or elsewhere furth of Scotland, and the said David Maitland Makgill Crichton Somerville, as husband and administrator-in-law of his said wife, and for his interest; Mrs Margaret Lillias Macknight or Heward, wife of the Reverend Thomas Morley Heward, Flyford Flavel Rectory, Worcester, or elsewhere furth of Scotland, and the said Reverend Thomas Morley Heward, as her husband and administrator-in-law, and for his interest; Mrs Christian Crawfurd Macknight or Watt, wife of and residing with Dr James Ross Watt, Amisfield, Ayr, and the said Dr James Ross Watt, as her husband and administrator-in-law, and for his

interest; THOMAS MORRIS MACKNIGHT, Tafira, Las Palmas, Canary Islands, or elsewhere furth of Scotland; Mrs EVA MACKNIGHT or RIORDAN, widow, care of Charles Crawfurd Macknight, Surgeon, residing at Warrnambool, in the said Colony of Victoria, or elsewhere furth of Scotland; Mrs INA MACKNIGHT or NEWTON, wife of Newton, care of the said Charles Crawfurd Macknight, and the said NEWTON, as husband and administrator-in-law of his said wife, and for his interest; the said CHARLES CRAWFURD MACKNIGHT; CONWAY MONTGOMERY MACKNIGHT, care of the said Charles Crawfurd Macknight; WILLIAM CRAWFURD MACKNIGHT, Surgeon, residing in Invercargill, New Zealand, or elsewhere furth of Scotland; and CAMPBELL MACKNIGHT, care of the said Charles Crawfurd Macknight; —*Defenders;* in terms of the Condescendence and Note of Pleas-in-Law hereunto annexed: Therefore it Ought and Should be Found and Declared by decree of the Lords of our Council and Session that the pursuer is only liable in once and single payment of the trust estate held and administered by him as trustee foresaid, and that to such of the defenders or others as shall be found to have best right thereto, and in such proportions as shall be found to be just at discussing their rights to the same, but under deduction or retention of all payments made or falling to be made out of the said estate and of the expenses of raising and prosecuting this action and of extracting the decree to follow hereon: For determining which the said several persons, defenders, and all others, having or pretending to have right thereto, ought to exhibit and produce before our said Lords their respective rights and titles to, or other interests in, the said trust estate, or any part thereof, and dispute their preferences thereto, and be ranked and preferred according to their rights and interests, and the pursuer and real raiser should be found entitled to retain the expenses of the process, as the same shall be ascertained in the course hereof; and upon the pursuer and real raiser paying or making over whatever balance of said estate shall remain in his hands to such of the defenders or others as shall have best right thereto, in such shares and proportions as our said Lords shall fix and determine, or consigning the same subject to the orders of our said Lords in the course of the process to follow hereon, the pursuer and real raiser Ought and Should be Exonered and Discharged by decree foresaid, of his whole actings,

A intromissions, and management with the said trust estate, and be declared quit thereof, and free therefrom in all time coming: And the defenders, as well those who shall produce their claims in the process hereon, as those who shall neglect to produce the same, or who shall be found to have no right to the said trust estate or any part thereof, and all others Ought and Should be
B Decerned and Ordained by decree foresaid, to desist and cease from further troubling the pursuer and real raiser with respect to the premises, in time coming, in any manner of way, conform to the laws and daily practice of Scotland, used and observed in the like cases, as is alleged.—Our Will is herefore, and we charge you that, on sight hereof, ye pass, and in our name and
C authority, lawfully summon, warn, and charge the said defenders, personally, or at their respective dwelling-places, or, if furth of Scotland, by delivery of a copy hereof at the office of the Keeper of the Record of Edictal Citations, to compear before the Lords of our Council and Session at Edinburgh, or where they may happen to be for the time, if in Scotland, the
D seventh day, and if furth of Scotland, the fourteenth day next after the date of your citation, in the hour of cause, with continuation of days, to answer at the instance of the pursuer in the matter libelled: That is to say, to hear and see the premises verified and proven, and decree and sentence pronounced by our said Lords, or else to allege a reasonable cause to the contrary,
E with certification as effiers.—According to Justice, as ye shall answer to us hereupon: Which to do we commit to you, conjunctly and severally, full power by these our letters, delivering them by you duly executed and endorsed again to the bearer.—Given under our Signet at Edinburgh, First March, Nineteen Hundred.

F ARTHUR H. DICKSON, *W.S.*

CONDESCENDENCE.

G 1. The pursuer is the sole trustee accepting and acting under the Trust Disposition and Settlement and Codicils mentioned in the Summons of the late Alexander Edward Macknight, Advocate, Edinburgh. Mr Macknight died on 8th June, 1899. The defenders called in the fourth place, other than the defender,

Mrs Margaret Elizabeth Sims or Macknight, are the whole nephews and nieces and next-of-kin of the truster, and the husbands of his nieces who are married. The said defender, Mrs Margaret Sims or Macknight, is the widow and executrix dative of the late Thomas Macknight Macknight, a nephew of the truster, who died on 10th June, 1899; the defender, Charles Crawfurd Macknight, is the truster's heir-at-law, being the eldest son of the late Charles Hamilton Macknight of Dunmore, in the County of Villiers, in the Colony of Victoria, Australia, the truster's immediate younger brother.

2. By his said Trust Disposition and Settlement, the truster conveyed to and in favour of James Park, engineer, Greenside, Edinburgh (who predeceased the testator), John Gowan, inspector of branches, Commercial Bank of Scotland, Edinburgh (whose appointment was revoked by the codicil of 13th May, 1898), and the pursuer and the acceptors and survivors of them in trust, All and Sundry his whole means and estate, heritable and moveable, as the same should pertain or belong to him at the time of his decease. The trust purposes expressed in said Trust Disposition and Settlement were, after payment of debts, for payment of free annuities of £100 and £50 per annum respectively out of the income of the estate, to the truster's nieces, the defenders, Mrs Margaret Lillias Macknight or Heward, and Miss Christian Crawfurd Hamilton, during all the days of their lives, the first instalment of which has been paid, and of a legacy of £5, free of legacy duty, to Mrs Baillie, Bonnyrigg, which has been paid. By the codicil of 13th July, 1896, the truster directed payment to the defender Thomas Morris Macknight, of a legacy of £20, which has also been paid.

3. By the codicil of 13th May, 1898, the truster directed payment of a legacy of £25, free of legacy duty, to Walter Shaw, law clerk, Edinburgh, or to his widow in the event of his predeceasing the testator, and of another legacy of £100, also free of legacy duty, to the treasurer for the time being of the Society for the Prevention of Cruelty to Animals, Edinburgh, both of which have been paid. He also directed payment of £50 'to such other institution or home for animals 'in Edinburgh or district as my trustees may think deserving of 'support, to be disbursed by my trustees in such manner and pro-

A ‘ portion and at such times as they shall think fit.’ He also left the sum of £200 ‘ to such poor families or persons in the Counties ‘ of Midlothian and West Lothian, especially those in the parish ‘ of Ratho, the parish of my birth, as my trustees after due enquiry ‘ shall think most deserving of assistance, the same to be divided ‘ amongst them in such proportions and at such times as they B ‘ shall think fit.’ Said sums have been set aside for said two last mentioned purposes. He further declared that the said James Dove Park (who predeceased him), and the pursuer, his trustees, should be entitled to select one picture each out of his collection, to become their property without any consideration being made therefor, and also left one of his violins and bows to C the pursuer as he might select. Said selections have been made by the pursuer.

4. Said codicil of 13th May, 1898, also contains the following provision—‘ I direct my trustees, after payment of all ‘ debts, annuities, legacies, and expenses, and the laying aside of D ‘ the above sum of Two hundred pounds for deserving families or ‘ persons as above provided, to expend the free annual income of ‘ my estate in manner aftermentioned for the promotion of one or ‘ other or both of the following missions, the residue of my estate ‘ to form a capital fund for the same, viz.—(1) The Mission to ‘ the Miners of Scotland, promoted or being promoted by the E ‘ Reverend Dr James Hood Wilson of Edinburgh; and (2) The ‘ Home Mission in connection with the Free Presbyterian Church ‘ of Scotland, but not with the Established Church of Scotland ‘ which will be ultimately abolished, such Church holding the ‘ Westminster Confession of Faith and Standards, declaring that ‘ should it depart from the said Confession and Standards, or adopt F ‘ the false principle of abstinence and tamper with the administra- ‘ tion of the Lord’s Supper, such grant from my estate shall cease ‘ and determine, and in that event my trustees shall pay the free ‘ annual income of my estate to such religious or charitable ‘ purposes as they may think proper; Declaring that it shall be ‘ in the power of my trustees to engage Free Church missionaries G ‘ or in their discretion other workers, including laymen and lady ‘ missionaries or workers being members of the Free Church, in ‘ the promotion of the above missions or either of them in such ‘ way as they may think proper, either through the Church or ‘ independently of it, such missionaries or other workers receiving

'suitable remuneration; or my trustees may, should it be deemed A
'by them more expedient, pay over the free annual income of my
'estate to the respective treasurers of said missions or one or other
'of them to be applied to the purposes foresaid; Declaring further,
'that should the said Mission to the Miners of Scotland be now
'or become non-existent the whole of said income shall be
'applied to the promotion of the said Home Mission; And in B
'regard to the direction in said third purpose as to the sale,
'purchase or investment of the Trust Estate only if the sale
'purchase or investment shall be considered necessary, or shall
'increase the annual income or revenue of the Trust, I hereby
'recall that condition and give my trustees full power and dis-
'cretion to sell, purchase and invest in such ways and at such C
'times as they may deem expedient.'

5. Questions have arisen as to the validity and effect of said provisions mentioned in Condescendence IV., and as to the bodies entitled to benefit thereunder, and how the bequests in their favour are to be administered. In particular, questions D have arisen (1) as to what institution is meant by 'The Mission 'to the Miners of Scotland, promoted or being promoted by 'the Reverend Dr James Hood Wilson of Edinburgh,' or whether it is still in existence; (2) as to what body is meant by 'the Free Presbyterian Church of Scotland'; (3) as to the proportions in which the provision falls to be divided between E the Miners' Mission, if still in existence, and the Home Mission of the Church entitled thereto; (4) whether the pursuer is bound to pay over the funds to said bodies, or is entitled or bound himself to administer them; and (5) as to whether, as contended by certain of the next of kin, the whole of said last mentioned provisions are void from uncertainty or otherwise. In these F circumstances, the present action has become necessary for determining the rights of parties.

6. The fund *in medio* consists of moveable estate amounting to about £8000, and heritable estate, amounting as valued to about £21,000, subject to bonds of £12,100. The said sums G are also subject to the annuities of £100 and £50, mentioned in Condescendence 2. The real raiser will produce a detailed statement of the fund in the course of the process.

A PLEAS IN LAW.

1. The pursuer and real raiser is liable in only once and single payment of the fund *in medio*.

2. Upon the pursuer making payment, or consignation of the B fund *in medio*, he is entitled to decree of exoneration and discharge, with expenses, as concluded for.

In respect whereof, &c.,

ARTHUR H. DICKSON, *W.S.*

C

II.—CONDESCENDENCE and CLAIM for the HOME MISSION COMMITTEE and MINER'S MISSION OF FREE CHURCH OF SCOTLAND.

D 1. It is admitted, as set forth in the condescendence annexed to the summons, that Alexander Edward Macknight died on 8th June, 1899, leaving the trust disposition and settlement and codicils therein referred to. The statements regarding the heirs, next of kin, and executors of the deceased, are not known to the claimants. It is admitted that questions have arisen E regarding the validity and effect of the settlement and codicils. The statement in the sixth article of the condescendence is believed to be generally correct, but the claimants have no knowledge of their own as to the amount of the estate and what it consists of.

F 2. The late Alexander Edward Macknight, who was born in 1817, was a member of the Free Church of Scotland from 1843 till his death in 1899. From 1894 till his death he was a member of Lady Glenorchy's Free Church, and prior thereto of St. Mary's Free Church, both in Edinburgh, where he resided. He was also a subscriber to the funds of the Church, in particular G to the Home Mission Scheme, which is under the charge of the Home Mission Committee represented by the claimants.

3. The claimants, Dr Howie, Mr Binnie, and Dr Melville, are respectively convener, vice-convener, and secretary of the Home

Mission Committee of the Free Church of Scotland, a body of about 175 ministers and elders annually appointed by the General Assembly of the Church; and they, along with the committee, were duly appointed in May, 1899. Mr Ross is general treasurer of the Free Church of Scotland, and as such is treasurer of the Miner's Mission Fund and Home Mission Fund of the said Church.

4. The Rev. Dr James Hood Wilson, minister of the Barclay Free Church, Edinburgh, was moderator of the General Assembly of the Free Church of Scotland in the year 1895, and devoted his opening address to advocate the claims of Home Missions. In doing so he stated that some years before it had been laid upon him, as vice-convener of the Home Mission Committee, to take part in raising a considerable fund for what was called 'The Miners' Mission' for the building of churches and carrying on of mission work in mining districts; that the fund had done most important and valuable service, but was now exhausted, though much work still needed to be done. He then suggested that it would be a worthy signalising of the Assembly if some of the wealthier members and friends of the Church were to start a new Miners' Mission Fund.

5. Accordingly, in the course of the year 1895-96, a special effort was made, and appeals, written and signed by Dr Wilson, and distributed throughout the Church. Dr Wilson also took an active personal interest in raising the fund, and was specially thanked by the Assembly. The result was that by the 31st March, 1896, upwards of £6000 was contributed for the Miners' Mission Special Fund, and placed under the charge of the Home Mission Committee. That committee took means further to increase the fund, and aimed at raising it to £15,000, but intimated that the fund would be held to be constituted when the sum subscribed reached £10,000. This sum was almost immediately subscribed. The amount of fund actually raised to 31st March, 1900, amounted to £11,320, 5s. From the year 1896 to the present time the Miner's Mission has been carried on by the Home Mission Committee under carefully framed 'Regulations for the Miners' Mission Fund.' Additional funds have from year to year been subscribed, and the amount still in the hands of the treasurer was at 31st March, 1900, the sum of £6334, 19s. 9d. The fund has been annually stated in the

printed accounts of the Free Church, and the operations of the committee in respect of 'Miners' Mission' are annually reported upon under that name in the Home Mission Report presented to the General Assembly, and brought under its notice at one of its public meetings. Mr Macknight frequently attended the General Assembly. The 'Miners' Mission' is well known to the members and friends of the Free Church as an important department of that Church's Home Mission operations. There is an annual collection for the Home Mission Funds throughout all the congregations of the Free Church, and leaflets are distributed in the pews the Sunday before. In those leaflets special reference has been made by name to the 'Miners' Mission,' and the fund is annually reported on in the Committee's Report to the Assembly. Dr Wilson is, and has for many years been, an active member of the Home Mission Committee. 'The Mission 'to the Miners of Scotland, promoted or being promoted by the 'Rev. Dr James Hood Wilson of Edinburgh,' as described in Mr Macknight's codicil, is the Miners' Mission under the charge of the claimants, the Home Mission Committee of the Free Church of Scotland.

6. The name, 'Free Presbyterian Church of Scotland,' used by Mr Macknight in the codicil of 13th May, 1898, accurately describes the Free Church of Scotland, which is Presbyterian in its government. At the time of the Disruption in 1843, it was proposed so to designate it, and there are extant bronze medals struck in that year with the name 'Free Presbyterian Church of 'Scotland' on each side, and the effigy of Dr Chalmers on one side. Mr Macknight was a young man of twenty-six years of age in 1843, and probably cognisant of these circumstances. He held and expressed the opinion to various persons that the proper name of the Church was the 'Free Presbyterian Church 'of Scotland.' In the said codicil he refers to the persons to be employed in the promotion, by means of his bequest, of the said missions as 'Free Church Missionaries, or * * * * 'other workers, being Members of the Free Church.' The Free Church of Scotland holds the Westminster Confession of Faith as part of its standards, and has not adopted the principle of abstinence in connection with the administration of the Lord's Supper, that is, as the claimants understand the testator's allusion in the said codicil, the prescribed use of unfermented wine at the Communion.

7. Mr Macknight did not secede with and never became a member of the small body of ministers and members who seceded from the Free Church of Scotland in 1893, and in 1898 numbered nine congregations; and he took no interest in their proceedings. They have no Home Mission or Miners' Mission. A

8. In reference to the Claim for 'The Free Presbyterian 'Church of Scotland' the following answers are made:— B

. . . . . .

(2) The present claimants have no knowledge and make no admission regarding the name, organisation, accounts, or title deeds of the body styling itself 'The 'Free Presbyterian Church of Scotland.' C

(3) Nor do they know of matters in connection with the Free Church of which Mr Macknight disapproved. The documents in reference to the use of unfermented wine in Free St. Luke's Church are referred to. The Declaratory Act, 1892, is referred to for its terms. The description here given of it is entirely erroneous and mis- D leading. Mr Macknight remained a member of the Free Church till his death, seven years after the passing of the Declaratory Act, and nine years after he left Free St. Luke's. The other change of congregation referred to was in consequence of a personal difference with the minister, but the testator afterwards resumed occasional attendance E in his church. Further the Codicil making the bequest is dated 13th May, 1898, six years after the passing of the Declaratory Act, and eight years after the St Luke's incidents, and from its terms shows that the Testator did not consider that at that time (1898) the Free Church had departed from the Westminster Confession and F Standards, or adopted the principle of abstinence referred to.

(4) The deed of constitution of the body calling itself the Free Presbyterian Church of Scotland is referred to for its terms.

(5) The testator's knowledge of the other claimants' G separation and new name are not known and not admitted. Denied that the testator chose them as the objects of his bounty. The reference to prior testamentary writings, now revoked, is incompetent. *Quoad ultra* denied.

A (6) Denied that the work carried on by the other claimants is Home Mission work. Its object is to draw members and adherents of Highland congregations of the Free Church into the new Church,—not to any material extent to bring persons outside the Christian Church into it. *Quoad ultra* not known and not admitted.

B (7) Admitted that the Miners' Mission is a branch of the Home Mission. It was promoted by Dr Wilson in the sense and in the manner explained in the condescendence for the Home Mission Committee. *Quoad ultra* denied.

C CLAIM.

The claimants claim that the residue of the testator's estate should be held by the pursuer and real raiser as trustee foresaid as a capital fund, and the free annual income thereof expended for the promotion of the Miners' Mission and the Home D Mission of the Free Church of Scotland, or one or other or both of them, and that either by the pursuer and real raiser as trustee foresaid himself expending the said income in the manner set forth in the said codicil of 13th May, 1898, or by his paying over the free annual income thereof to the said Alexander Ellison Ross, as treasurer of the said Miners' E Mission Fund and Home Mission Fund of the Free Church of Scotland, or his successor in office, to be applied by him under the direction of the claimants, the Home Mission Committee of the Free Church and their successors in office, to the purposes of the said Miners' Mission and Home Mission of the Free Church of Scotland, or one or other or both of them.

F

III.—CONDESCENDENCE and CLAIM for the Free Presbyterian Church of Scotland.

G 1. The Claimants adopt and hold as repeated Articles 1 to 4 inclusive of the Condescendence annexed to the Summons, under reference to the Settlement and Codicils for their terms.

2. By his Codicil of 13th May, 1898, quoted in Article 4 of

said Condescendence, the Testator directed his Trustees to A
expend the free annual income of the residue of his Estate for
the promotion of one or other or both of the following missions,
videlicet:—(1) 'The Mission to the Miners of Scotland, promoted
'or being promoted by the Reverend Dr James Hood Wilson,
'of Edinburgh,' and (2) 'The Home Mission in connection with
'the Free Presbyterian Church of Scotland.' The present B
Claimants are the only body known as 'The Free Presbyterian
'Church of Scotland,' and are the body beneficially entitled
under said Codicil. They constituted themselves into a separate
Church in August, 1893, and adopted the form of Church
Government already existing in the Established and Free
Churches of Scotland, consisting of General Assemblies, Synods, C
and Presbyteries. They have since the said year, 1893, main-
tained a separate organisation. There was at first only one
Presbytery. Said Presbytery, by resolution passed at a meeting
held at Lochcarron on 31st August, 1894, resolved that the
Church should in future be called 'The Free Presbyterian Church
'of Scotland,' and that the said Presbytery should be called D
'The Presbytery of the Free Presbyterian Church of Scotland.'
A Copy of the Minute of said Meeting is produced. Said title
had been generally approved of at a Conference held at Inver-
ness on 3rd July, 1894, but before its formal adoption an
opportunity was given to Members to object to it. No
objections were, however, lodged. Since August, 1894, the E
Claimants' Church has been generally known throughout
Scotland by the said title. After a time, a second Presbytery
was formed, and the two Presbyteries (known as the Northern
and Southern) have annually met in Synod. The proceedings
of the Church have from the first been widely circulated in the
press. The annual Accounts of the financial proceedings of F
the Church have been printed and published under the title
of The Free Presbyterian Church of Scotland. The titles
of the heritable properties vested in Trustees for behoof of
the congregations of the Church have been taken to Trustees
in trust for the congregations respectively 'belonging and
'adhering to the Body of Christians called 'The Free Presby- G
'terian Church of Scotland.'' A print of the Abstract of the
Claimants' Public Accounts for the year from 31st March, 1898,
to 31st March, 1899, and a copy of a feu charter by John Blair,
Esq., in favour of Trustees for Free Presbyterian Church at
Kames, dated 23rd March, 1896, are produced and referred to.

3. The truster, Mr Macknight, was at the time of his death, and for many years prior thereto, a member of the Free Church of Scotland, but during the later years of his life there were various matters in connection with said Church of which he disapproved. At least twice he changed the congregation he associated with owing to disapproval of its proceedings. In particular in or about 1890 he left Free St. Luke's Church, Edinburgh, in consequence of the introduction of unfermented wine in the communion service. On this innovation taking place he framed and lodged with the Kirk Session of said Church resolutions protesting against it as grave, fundamental, unconstitutional, unpresbyterian, and contrary to the 'Standard 'of the Free Church.' The said Kirk Session having by minute of meeting, held on 7th May, 1890, declined to reconsider their resolution in favour of unfermented wine, the truster lodged with the Edinburgh Presbytery of the Free Church a petition and complaint, dated 24th June, 1890, against said decision of the Kirk Session. It is believed that the Presbytery took no action in the matter. The practice thus recognised as consistent with the constitution of the Free Church is characterised by the truster in his codicil of 13th May, 1898, as 'adopting the 'false principle of abstinence and tampering with the adminis-'tration of the Lord's Supper.' Copies of the documents referred to are produced.

In 1892 the General Assembly of the Free Church adopted the 'Declaratory Act,' whereby, instead of the Westminster Confession of Faith as the recognised standard of orthodoxy in the Church in all its heads and articles, there was substituted what was called 'the substance of the Reformed Faith therein 'set forth.' The passing of said Declaratory Act was disapproved of by the truster.

4. The Members embraced in the Claimants' denomination were, prior to 1893, Members of the Free Church of Scotland, and one of the principal grounds on which they separated themselves from the said Free Church was that the subsisting Church calling herself the Free Church of Scotland had, by passing the said Declaratory Act of 1892, and by other recent proceedings, departed from the Westminster Confession of Faith as the recognised standard of orthodoxy. One of the fundamental principles maintained by the Claimants is the holding

of the Westminster Confession of Faith and Standards in their A integrity.

5. There is herewith produced copy of an extract of the Deed of Constitution of the Claimants' Church, being a Deed of Separation, dated 14th and recorded in the Books of Council and Session on 28th August, 1893, whereby certain ministers B and elders of the Free Church as formerly constituted separated themselves from the church now calling herself the Free Church of Scotland. It is averred that the separation of the Claimants from the Free Church of Scotland, their choice of the name of the Free Presbyterian Church of Scotland, and their maintenance of the said Confession of Faith and C Standards in their integrity were known to the Testator, and that he deliberately chose the claimants as the objects of his benefaction. He did not, as suggested in the competing claim for the Home Mission Committee and Miners' Mission of the Free Church of Scotland, make use of the name, 'Free 'Presbyterian Church of Scotland,' from inadvertence, or from D an opinion that it was the proper name for the Free Church, or owing to its having been the name originally proposed for the Free Church in 1843. On the contrary, the distinction between the Free Church and the Free Presbyterian Church of Scotland was clearly appreciated by him and given effect in said codicil. Although he executed various writings of a E testamentary nature prior to the settlement and codicils founded on in the summons, he never used the expression, 'Free Pres- 'byterian Church of Scotland,' in any of these prior to the adoption of that name by the claimants, as is instructed by a holograph letter, dated 13th October, 1879, addressed by him to the trustees under his then subsisting testamentary settlement. He F originally intended that one-half of the income of the residue of his estate should be paid to the Home Mission of the Free Church of Scotland, and the other half to the London Missionary Society. In a holograph writing, entitled 'Directions to my 'Trustees,' dated 8th August, 1895 (the year after the claimants' adoption of the name 'Free Presbyterian Church of Scotland'), G the truster directed that the income of the whole residue of his estates should be devoted to the cause of Home Missions in Scotland in connection with the Free Presbyterian Church, so long as it continues faithful to the Standard and Confession of

Faith. This change in the objects of his bounty was a deliberate one, and it was due, the claimants aver, to the truster's disapproval of the action of the Free Church in passing said Declaratory Act of 1892, and in adopting other steps, such as the sanctioning of unfermented wine, which, in his opinion, involved a departure from the Standard and Confession of Faith, and to his approval of the action of the claimants in maintaining said Standards and Confession in their integrity. The truster left a farther holograph writing, headed 'Directions to my Trustees,' which is undated, but was handed by the truster to the pursuer and real raiser in or about the year 1897, and which is in these terms:—'After payment of debts and legacies, I direct the 'trustees to constitute themselves a continuing trust for the pro-'motion of Home Missions in Scotland in connection with the 'Free Presbyterian Church, but not with the Established, which 'will be ultimately abolished, and also assisting the Miners' 'Mission of Dr Hood Wilson.' The reference to the Established Church in said holograph writing and in the codicil of 13th May, 1898, was, it is believed, introduced by the truster because of his knowledge that the claimants approved of the principles of an Established Church, and in order to provide that in the event of the claimants at any time uniting with the Established Church, the bequest in their favour should be forfeited. On the supposition that the bequest was intended for the Free Church of Scotland, said reference to the Established Church and the power given by the Truster to his trustees to employ Free Church Missionaries, &c., would be meaningless. Copies of the holograph writings mentioned in this article are produced. The originals are in the hands of the pursuer.

6. The work carried on by the Claimants is to a very large extent of the nature of Home Mission Work. A body of 31 or thereby lay Missionaries and Catechists is maintained by the Claimants, and is engaged in carrying on Home Mission work among the people of Scotland in various localities. The Church periodically makes collections in its various congregations for the support of its Home Mission, and annually expends thereon a sum upwards of £700. The existence of said Mission was known to the Testator.

7. It is believed and averred that there does not now exist any Body answering to the description of 'The Mission to the

'Miners of Scotland, promoted or being promoted by the A
'Reverend Dr. James Hood Wilson, of Edinburgh.' The
Miners' Mission referred to by the competing claimants is
simply a branch of the Home Mission of the Free Church
of Scotland. Dr. Hood Wilson was not at the date of said
codicil in May, 1898, the promoter of said Mission. In conse-
quence of the non-existence of the said Mission to Miners, the B
whole of the Income of the residue of the Testator's Estate falls
in accordance with said Codicil to be applied to the promo-
tion of the Claimants' Home Mission. The averments of the
competing claimants, so far as not coinciding herewith, are
denied.

C

CLAIM.

The Claimants accordingly claim to be ranked and preferred
to the whole fund *in medio* to be held by them in Trust for the
purpose of expending the free annual income thereof for the
promotion of the Home Missions in connection with the D
claimants' Church;

or otherwise and alternatively,

They claim that the whole fund *in medio* should be held and
administered by the Pursuer and Real Raiser, as the Testator's
Trustee, for the purpose of expending the free annual income E
thereof for the promotion of the said Home Mission, and that
the Claimants should be ranked and preferred upon the fund
in medio accordingly;

or otherwise and alternatively,

In the event of its being held that there is a body answering F
to the description 'of the Mission to the Miners of Scotland,
'promoted or being promoted by the Rev. Dr. James Hood
'Wilson of Edinburgh,' the Claimants claim that the fund *in*
medio should be held and administered by the Pursuer and Real
Raiser, as trustee foresaid, for the purpose of expending the free
annual income thereof for one or other or both of the said G
Mission and the Home Mission in connection with the
Claimants' Church, in such proportions and subject to such
provisions and others as craved in the claim for said Pursuer
and Real Raiser.

IV.—CONDESCENDENCE and CLAIM for Hugh Martin (Mr Macknight's Trustee).

1. The claimant adopts under reference to Mr Macknight's Trust Disposition and Settlement and Codicils, Articles 1 to 4, of the Condescendence annexed to the Summons.

2. On its being ascertained what Missions are meant by 'The Mission to the Miners of Scotland, promoted or being 'promoted by the Reverend Dr James Hood Wilson of Edin-'burgh,' and 'The Home Mission in connection with the Free 'Presbyterian Church of Scotland,' and in the event of its being determined by the Court that the bequest of the testator's residue in favour of said Missions is valid, the claimant is entitled to hold the residue of the truster's estate and to expend the free annual income thereof for the promotion of one or other or both of said Missions in such proportions as shall be determined by the Court, but subject always to the declaration contained in the Truster's Settlement, and in such method subject to the provisions of said Settlement as the claimant in the exercise of his discretion shall deem expedient.

3. The account, in respect of which the claimants Messrs White Millar and Robson claim, is prescribed. The last item in said account is under date 15th May, 1882.

CLAIM.

The claimant accordingly claims to hold the fund *in medio* subject to the Annuities of £100 and £50, payable in terms of the Truster's Settlement to Mrs Margaret Lillias Macknight or Heward and Miss Christian Crawfurd Hamilton, in the event of its being determined that the bequest of the residue of the Truster's Estate in favour of 'The Mission to the Miners of 'Scotland, promoted or being promoted by the Reverend Dr 'James Hood Wilson, of Edinburgh,' and 'The Home Mission 'in connection with the Free Presbyterian Church of Scotland' is valid, and to expend the free annual income thereof under deduction of said Annuities for the promotion of one or other or

both of such missions as shall be determined to be meant by the said designation in such proportions as shall be determined by the Court, but subject always to the declaration contained in the Truster's Settlement and in such method, subject to the provisions of said Settlement as the claimant in the exercise of his discretion shall deem expedient.

V.—CONDESCENDENCE and CLAIM for WILLIAM WHITE MILLAR and WILLIAM ROBSON, both Solicitors in the Supreme Courts of Scotland, Edinburgh, the surviving partners of the firm of MILLAR, ROBSON, & INNES, lately carrying on business as Solicitors in the Supreme Courts of Scotland in Edinburgh.

CONDESCENDENCE.

1. The claimants, along with the now deceased John Innes, carried on business in Edinburgh as Solicitors in the Supreme Courts of Scotland under the firm name of Millar, Robson, and Innes. The claimants are now the sole surviving partners of said firm, and, as such, are entitled to collect the debts due to said firm.

2. The said firm of Millar, Robson, & Innes was employed by the deceased Alexander Edward Macknight to advise him as to his interest in the trust estates of his father and mother, and to act for him in this and other matters. For said employment the said Alexander Edward Macknight incurred accounts to the said firm amounting in all to £154, 11s. 1d. The said accounts have not been paid, and are still due and resting owing to the claimants, and copies thereof are herewith produced and referred to.

CLAIM.

The Claimants claim to be ranked and preferred on the fund *in medio* to the extent of £154, 11s. 1d, the amount of said accounts.

VI.—PLEA IN LAW for Home Mission Committee and Miners' Mission of Free Church of Scotland.

The Miners' Mission and Home Mission of the Free Church of Scotland being the objects pointed out by the testator in the Codicil, 13th May, 1898, the claimants are entitled to be ranked and preferred in terms of their claim.

In respect whereof,

J. Campbell Lorimer.

VII.—PLEAS IN LAW for the Free Presbyterian Church of Scotland.

1. The claimants being the beneficiaries described in the Testator's Trust Settlement as the 'Free Presbyterian Church 'of Scotland,' and there being no Body in existence answering to the description of the 'Mission to the Miners of Scotland, 'promoted or being promoted by the Reverend Dr James Hood 'Wilson, of Edinburgh,' the claimants are on a sound construction of the Testator's Settlement and Codicils entitled to be ranked and preferred in terms of one or other of the first two alternatives of their claim.

2. In the event of its being held that there is a body answering to the description of the said Mission to Miners, the claimants are entitled to be ranked and preferred in terms of the third alternative of their claim.

3. The claims of the competing claimants being irrelevant, *et separatim* being unfounded in fact, should be repelled.

In respect whereof,

John F. M'Lennan.

VIII.—PLEAS IN LAW for Hugh Martin (Mr Macknight's Trustee).

1. In the event of its being determined that the bequest of the residue of the Truster's Estate is valid, the claimant is entitled on a sound construction of the Truster's Settlement to be ranked and preferred to the whole fund *in medio* in terms of his claim.

2. The claim for Messrs White Millar and Robson being prescribed, can only be proved by writ.

In respect whereof,

William Chree.

IX.—PLEA IN LAW for William White Millar and William Robson.

The amount claimed being justly due and resting owing to the claimants by the late Alexander Edward Macknight, they should be ranked and preferred in terms of their claim.

In respect whereof,

For Mr Cooper,
John A. T. Robertson.

X.—INTERLOCUTORS.

11*th April*, 1900.—Lord Stormonth-Darling.—*Act.* Chree. The Lord Ordinary officiating on the Bills appoints intimation of the dependence of this action to be made twice in the '*Englishman*' newspaper, published in Calcutta, at the interval of a week, in order that all parties not otherwise cited may enter appearance in the cause by 1st June next: Finds the pursuer liable only in once and single payment, and appoints all parties claiming an interest in the fund to lodge their Condescendences and Claims by the said 1st June next.

Moir T. Stormonth-Darling.

A *5th June*, 1900.—Lord Low.—*Act.* Dewar.—The Lord Ordinary of new appoints claimants on the fund *in medio* to lodge their Condescendences and Claims within the next ten days. A. Low.

30th June, 1900.—Lord Low.—*Act.* Chree.—*Alt.* M'Lennan.
B —The Lord Ordinary allows the Claims for the Free Presbyterian Church of Scotland and others, and Mr Hugh Martin, to be received, and which form Nos. 10 and 15 of Process respectively, and appoints the real raiser to print the record. A. Low.

13th July, 1900.—To the Adjustment Roll of Tuesday, 17th
C inst. A. Low.

17th July, 1900.—Lord Low.—*Act.* Chree.—The Lord Ordinary, on cause shewn, continues the adjustment of record till Tuesday, 16th October next. A. Low.

D *16th October*, 1900.—Lord Low.—*Act.* Chree.—*Alt.* Cooper. —The Lord Ordinary closes the record on the Summons and Condescendences and Claims, Nos. 1, 8, 9, 10, and 15 of Process, and appoints the cause to be enrolled in the Procedure Roll. A. Low.

E

XI.—APPENDIX containing COPY EXTRACT REGISTERED TRUST DISPOSITION and SETTLEMENT and CODICILS by Alexander Edward Macknight.

F At Edinburgh, the thirteenth day of June, 1899, the deed hereinafter engrossed was presented for registration in the Books of the Lords of Council and Session for preservation, and is registered in the said Books as follows:—I, Alexander Edward Macknight, Esquire, of Patriothall, and of Langlees, in the County of Fife, advocate, Edinburgh, being desirous to
G regulate the succession to my means and estate after my death, do hereby convey to and in favour of James Park, engineer, Greenside, Edinburgh, John Gowan, inspector of branches, Commercial Bank of Scotland, Edinburgh, and Hugh Martin, Solicitor Supreme Courts, Edinburgh, and to such other person or persons whom I may appoint, and my trustees shall have

power to assume such person or persons, they being of good A
moral and christian character, to act as trustees along with
them in the trust hereby created, and the acceptors and
survivors of them, and the heir of the last survivor (the said
trustees named or to be named or assumed being throughout
these presents denominated 'my trustees'), all and sundry,
my whole means and estate, heritable and moveable, as the same B
shall pertain or belong to me at the time of my decease; but
declaring that these presents are granted only in trust for the
following purposes, viz.:—(*First*) For payment of all debts;
(*Second*) So soon as convenient after my decease my trustees
shall enter upon the management and administration of my
whole estates, consisting at present principally of heritable pro- C
perties situated in Edinburgh and Leith, and also in the Counties
of Midlothian and Fife, and also in shares of the Scottish Banks
and others, and shall out of the income thereof make payment
of the following annuities, viz.:—To Miss Margaret Macknight,
eldest daughter of my deceased brother, Dr Thomas Macknight,
in case she shall survive me, a free annuity of one hundred D
pounds per annum during all the days of her life, and to Miss
Christian Hamilton, only daughter of my sister, Mrs Hamilton,
in case she shall survive me, a free annuity of fifty pounds
sterling per annum during all the days of her life, and that at
two terms in the year, Whitsunday and Martinmas, by equal
portions, beginning the first term's payment thereof at the first E
of those terms which shall happen after my death for the period
from the date of my death until said term and half yearly and
termly thereafter during their respective lives: Further I direct
my trustees to pay to Mrs Baillie, residing at Moffat Place,
Bonnyrigg, one of my tenants, a legacy of five pounds sterling,
free of legacy duty, in respect of her careful management of my F
property; (*Third*) With regard to the remainder of my said
estates I direct my trustees to hold the same in trust and to
dispose of the same in such manner as I may direct by any
Codicil to these presents, or by any writing under my hand
subsequent in date to these presents: And in addition to
the powers conferred on trustees by law, my trustees are G
hereby empowered either to leave the whole sums of money,
funds, and others of which my trust estate may consist at the
time of my death, in the securities in which the same may be
then invested, or to lend out and invest the same and the income

and produce thereof, or any part thereof, in such securities as may be then authorised by law, or in the purchase of lands, houses, or other heritable property, and to sell the trust estate, or any part thereof, either by public roup or private bargain, but only if such sale, purchase, or investment, shall be considered necessary by my trustees, or shall increase the annual income or revenue of the trust; to grant feus or long leases of the heritable estate, or any part of it; to borrow money on the security of the trust estate, or any part thereof, and to excamb any part of the trust estate; also my trustees are directed to continue the services of my present factors, should they survive me—these are Alexander Adamson, joiner, Dean Street, for the north and west districts of Edinburgh; James Gibb, house factor, West Nicolson Street, for the south district; Andrew McPherson, junior, grocer, Albert Street, for the east district; George Aitken, house factor, Leith, for the Leith district; and the said Mrs Baillie for Midlothian; as also to appoint cashiers and law agents, either one of their own number or any other fit person, and to allow such factors, cashiers, and law agents suitable remuneration: And I appoint my trustees to be my executors and also to be tutors and curators to any beneficiary under this settlement during his or her pupilarity or minority, and I revoke all former settlements. In witness whereof these presents together with the two marginal additions are subscribed by me at Edinburgh, the twenty-second day of June, eighteen hundred and ninety-six, before these witnesses, John Dove Purves, law apprentice, No. fifty-four Queen Street, Edinburgh, and Walter Shaw, clerk to the said Hugh Martin—the word 'Factor,' occurring on the thirty-ninth line from the top, being delete before subscription. (Signed) A. E. Macknight, John D. Purves, witness, Walter Shaw, witness.

I, Alexander Edward Macknight. before designed, with reference to the first purpose of the foregoing settlement, hereby direct my trustees to continue any loans which shall affect my heritable property at the time of my decease until the same may be called up, and I direct my trustees to pay to Thomas Macknight, residing at Brisbane, Australia, son of my deceased brother, Doctor Thomas Macknight, a legacy of twenty pounds, his circumstances not requiring more. In witness whereof this codicil is subscribed by me at Edinburgh, the thirteenth day of July, eighteen hundred and ninety-six, before

these witnesses, Walter Shaw, clerk to Hugh Martin, Solicitor A
Supreme Courts, Edinburgh, and Archibald Peebles M'Kenzie,
law apprentice, No. fifty-four Queen Street, Edinburgh.
(Signed) A. E. Macknight, Walter Shaw, witness, Archibald P.
Mackenzie, witness.

I, Alexander Edward Macknight, Esquire, of Patriothall
and of Langlees, in the County of Fife, advocate, Edin- B
burgh, hereby revoke the nomination of John Gowan as a
trustee under my trust disposition and settlement, dated
twenty-second June, eighteen hundred and ninety-six, and
I direct my trustees to pay my friend, Walter Shaw, clerk
to Hugh Martin, a legacy of twenty-five pounds, free of
legacy duty, at the first term of Whitsunday or Martinmas C
which shall happen after my decease, whom failing by his
predeceasing me then if shall be in the option of my trustees
to pay to his widow a like or any smaller sum, and in such
proportions and at such times as they may think proper.
Item, to the treasurer for the time being of the Society for the
Prevention of Cruelty to Animals, Edinburgh, one hundred D
pounds, free of legacy duty, to be applied to the purposes of
said society, payable six months after my decease. *Item*, fifty
pounds to such other institution or home for animals in Edin-
burgh or district as my trustees may think deserving of support,
to be disbursed by my trustees in such manner and proportion
and at such times as they shall think fit. *Item*, I leave the E
sum of two hundred pounds to such poor families or persons in
the counties of Midlothian and West Lothian, especially those
in the parish of Ratho, the parish of my birth, as my trustees,
after due enquiry, shall think most deserving of assistance, the
same to be divided amongst them in such proportions
and at such times as they shall think fit. And in regard F
to the third purpose of my said trust disposition and settle-
ment, I direct my trustees, after payment of all debts,
annuities, legacies, and expenses and the laying aside of
the above sum of two hundred pounds for deserving families
or persons as above provided, to expend the free annual
income of my estate in manner aftermentioned for the G
promotion of one or other or both of the following missions,
the residue of my estate to form a capital fund for the
same, viz.:—(1) The Mission to the Miners of Scotland, pro-
moted or being promoted by the Reverend Doctor James Hood

Wilson of Edinburgh, and (2) The Home Mission in connection with the Free Presbyterian Church of Scotland, but not with the Established Church of Scotland which will be ultimately abolished, such Church holding the Westminster Confession of Faith and Standards, declaring that, should it depart from the said Confession and Standards, or adopt the false principle of abstinence and tamper with the administration of the Lord's Supper, such grant from my estate shall cease and determine, and in that event my trustees shall pay the free annual income of my estate to such religious or charitable purposes as they may think proper. Declaring that it shall be in the power of my trustees to engage Free Church Missionaries, or in their discretion, other workers, including laymen and lady missionaries, or workers being Members of the Free Church in the promotion of the above missions, or either of them, in such way as they may think proper, either through the Church or independently of it, such missionaries or other workers receiving suitable remuneration, or my trustees may, should it be deemed by them more expedient, pay over the free annual income of my estate to the respective treasurers of said missions, or one or other of them, to be applied to the purposes foresaid. Declaring further that should the said Mission to the Miners of Scotland be now, or become non-existent, the whole of the said income shall be applied to the promotion of the said Home Mission. And in regard to the direction in said third purpose as to the sale, purchase or investment of the Trust Estate, only if the sale, purchase or investment shall be considered necessary, or shall increase the annual income or revenue of the trust, I hereby recall that condition and give my trustees full power and discretion to sell, purchase and invest in such ways and at such times as they may deem expedient. And I revoke all other writings and directions separate from my said Trust Disposition and Settlement. And I recall the direction as to my trustees continuing the services of my present factors, and declare that my trustees shall have it in their discretion to continue their services, or appoint others in their place, as they may think proper. And in regard to my household furniture, pictures, plenishing, and effects within my dwelling-house, I direct my trustees to realise the same as soon as convenient after my decease. Declaring that the said James Dove Park and the said Hugh Martin, my trustees, shall be entitled to select one picture each out of my

collection, to become their property without any consideration A
being made therefor, and also one of my violins and bows to the
said Hugh Martin, as he may select.—In witness whereof I have
subscribed this codicil to my Trust Disposition and Settlement
at Edinburgh, the thirteenth day of May, eighteen hundred and
ninety-eight, before these witnesses—Elizabeth Macdonald, my
cook, and Christina M'Aulay, my tablemaid, at Number forty- B
seven Albany Street there. (Signed) A. E. Macknight, Eliza-
beth Macdonald, witness, Christina M'Aulay, witness.

I, Hugh Martin within designed, do hereby accept the office
of trustee and executor conferred on me by the foregoing trust-
disposition and settlement.—In witness whereof these presents,
written on this and part of the preceding page are subscribed C
by me at Edinburgh on the thirteenth day of June, eighteen
hundred and ninety-nine, before these witnesses—William
McKay, solicitor, and Archibald Peebles Mackenzie, law clerk,
both of fifty-four Queen Street, Edinburgh. (Signed) Hugh
Martin, Wm. McKay, witness, Archibald P. Mackenzie, witness.
Extracted from the Register of Deeds, etc., in the Books of D
Council and Session on this and the sixteen preceding pages,
by me, Assistant Keeper of said Register.

J. A. Cameron.

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AN ADVOCATE OF THE PAST RESIGNING THE PINK

BY GEORGE A. FOTHERGILL 1924

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'"PAGANINI" in his L. & S. Days.'
From the picture by G. A. Fothergill.

AN ADVOCATE OF THE PAST RESIGNING THE PINK

Aye, lang I've follow'd here my fond desire—
Lang, lang I've luv'd tod-huntin',
An' luv'd to ride the horse 'at I admeir,
An' sport wi' naethin' dauntin'.

Hoo aften ha'e I donn'd the pink an' white,
An' seen us gayly meetin';
Hoo aften ha'e I seen the pleasin' sicht
O' the L. and S. hunds fleetin'.

I've joinèd i' the harum-scarum ride—
The up-an'-doon wind scramble—
An' hursl'd through the fences weel astride
Aboon the gruppin' bramble.

Yon Maiden's crack o' whup an' Ned's clear ca's,
The lang straight rins an' doubles,
The swing-gatts an' the hefty whunstane wa's
('At mebbe brought us troubles)—

I mind 'em a', an' the whustlin' burns i' spate,
The deep an' divilish ditches,—
An' whiles a fa'—tae stang my happy state
Ahint the tunefu' bitches.

Whan harkin' back I'm fu' o' nae remorse,—
My youth was gi'en for courtin'
The plizzurs o' the chase, o' hund an' horse,
An' a' the lave 'at's sportin'.

Noo, age an' I the pink resign to youth—
The link maun shortly sever;
But while I've life an' mem'ry left, forsooth
I'll hunt i' thocht for ever.

THE above rhyme was written at the end of October 1911, just when the last leaves were falling and the writer was beginning to think he might never again enjoy a run with hounds. He had also been raking together some old memories of his early hunting days, and amongst them stood out in bold relief a tall, gaunt sportsman of the old school, a Scotsman to the backbone. His last season (1892–3) with the Linlithgow and Stirlingshire was my first and only one on this side of the Border; but I do not think he was out with us on more than three or four days, and then he rode his own solitary line

through gates and gaps pretty wide of the "field." He was never known on those days to speak to a soul excepting on one occasion, when he asked a plough-boy to hold his mare's rein for a few minutes so that he might recover his breath—the old fellow was at least seventy-six. A link with the historic hunting past, he had been in the field with the famous Mr Ramsay of Barnton, who, dying in 1850, left the reins of office in the hands of Mr James Sandilands, the late Lord Torphichen's uncle. What an interesting line of masters from about 1845 onwards for old Mac——t to have been able to recall! Let me give the names, with dates of their mastership, of the Linlithgow and Stirling-shire XI who were all known to him:—W. R. Ramsay of Barnton (1830–50), Hon. James Sandilands (1850–65), Charles Ramsay of Barnton (1865–6), Captain A. Gillon of Wallhouse (1866–9), H. W. Hope of Luffness (1869–71), James Hope (1871–7), Captain W. Wauchope of Niddrie (1877–81), James Russel of Dundas (1881–4), J. G. Menzies (1884–7), Captain George Cheape of Wellfield (1887–90), and Adam P. Cross (1890–5), who was succeeded by a triumvirate, the brothers Usher, who had, I believe, all been entered to hounds in the L. and S. country and knew Mac——t from their pony days.

When a much younger man Mac——t was very game and rode to hounds with considerable dash and a fair amount of judgment. It was he of whom I thought while scribbling down my rhyme, though the huntsman, Ned Cotesworth (he was first whip in 1893), and whipper-in, Harry Maiden (second whip in 1893), to whom I allude, were not with this pack in Mac——t's "palmy" days. Looked upon as the greatest character in the whole Hunt, he turned out in an ancient pink coat, so ancient that it must have been drenched with the rains of at least five-and-twenty seasons—some went so far as to say it was the first and last he ever ordered at his tailor's—it certainly looked as if it had never known the loving care of a valet. Whether he in his old age required a little extra warmth, or felt that his whilom "coat so gay" was not so smart in appearance as it once was, I know not, but he invariably had on as well a dust-coloured covert-coat, with just the blue-stained tails of the pink one peeping out below. If I mistake not, he wore "Napoleons" and not the conventional top-boots of the period; his breeches were of a dull, khaki-coloured Bedford cord (which saved him the cost of many a washing). As to his hat, it resembled somewhat in shape and texture a postillion's beaver—no brush could have been near it for years; it was black, or meant to be so, and even when struck by the sun showed no more gloss upon it than does a pot of sable wedgwood. Beneath it was a broad, massive forehead with regular and striking features, and eyes betokening

much intelligence ; but the owner of them spared the razor (as he spared many other things), and the should-be clean-shaven chin was by no means denuded of all its hair—at least a week's growth was visible there when last I set eyes on him, reminding me of a former Earl of M—— whom I knew slightly and of whom "Jehu Junior" of *Vanity Fair* said in his biography of him accompanying "Spy's" cartoon, "He doesn't shave often enough."

By profession the subject of this sketch was an advocate (whether a briefless one or not I am unprepared to say), and owned and lived in a good house in A—— Street in Edinburgh. Of the whereabouts of his stable most of us were in utter ignorance, though one authority (?) assured me it was "a grass field in the vicinity of Pilrig," and that Mac——t was his own stud-groom and strapper combined! We all knew, however, that in 1893 he only possessed one hunter, a gallant beast of its sort, quixotic in form and white in coat—very impure white about the legs, belly, and ribs (soft soap and powdered charcoal were an unknown quantity in that evergreen stable)—and, like a Sheltie, natural as to its length. The old sport was no *advocate* for the "scissors," and would have you believe that his reason for this was based entirely on a disbelief in the theory of clipping for horses of any kind,—a sound enough opinion so far as a well-strapped-down thoroughbred is concerned, but apparently it did not occur to him that the strain of his Rosinante had probably not had one single ounce of "blue blood" added to it for at least a century, and a clip all over would have done her no harm and helped to check that profuse sweating for which she was noted in the hunting-field. At one time, about a hundred years ago, it was most unusual—at least in the Provinces, as opposed to the Shires—to clip a hunter, and the old fashion, perhaps I should rather say the natural state of things, must have lingered on in Mac——t's stable, though we suspect his chief reason for not believing in the "scissors" and not keeping up with the times was again a question of £ s. d. At that period it would have cost him half a guinea or more to have a professor-in-the-art-of-clipping engaged over his old white beast ; time was when sportsmen had to pay a couple of sovereigns even to have a racehorse shaved, as this was invariably done at night, half-a-dozen tall church candles lighting up the proceedings, and four men employed, two of them, each armed with a pair of scissors, cutting at the same time on different parts of the animal.

There was certainly a perfect harmony, and a splash of poetry besides if not of a very polished order, in this ancient pair—like master, like mare (unless the old screw was a gelding, and at this time I cannot be quite certain of the sex). For that very reason Mac——t and his hunter were a marked couple, and

appealed strongly to anyone of an artistic turn of mind. The late "Jack" Drybrough, of polo fame, who had been acquainted with the old advocate since he (W. J. D.) was a child, begged me to go and call on him in A—— Street and persuade him to sit for his portrait: "Prints of that equestrian group," said he, a brewer's son, "would sell like pots of beer!"

With that object in view, then, I went to call on him. The front door was opened (after I had rung several times) by a civil old housekeeper—the only servant he kept at that time. It was 11 A.M., and Mr Mac——t was still reposing—"He has naethin' in partic'lar to git up for," his housekeeper remarked, as she led the way and showed me straight into the only room he occupied in the whole house—the large dining-room on the left, where he fed, read, fiddled (he was a great violinist), and slept. The old fellow did not seem to be in the least surprised at seeing a stranger step into his bedroom-sitting-room, but just rubbed his eyes and drowsily rose from a big antique sofa covered with horse-hair, threw back a rug—more like a bit of ragged horse-clothing than anything else—got on to his shanks, came rather unwillingly forward, and grasped my hand. I gathered afterwards that he was frequently in the habit of going to bed in his day-things without changing into a nightshirt (this, of course, saved extra washing). He seemed to have become rather miserly in his ways, shutting himself off from social converse and exhibiting no very cordial fellow-feeling, though I must say, so far as I was concerned, he warmed up a little when I led him on to the subject of fox-hunting, and he seemed not altogether displeased at having his memory-strings pulled a bit about people and things of the past.

I could not help taking stock of what I saw in that strange apartment, in appearance something between an old cloes shop and a Dutch interior—his "wardrobe" scattered about on the backs of chairs and on the floor at one end of the room, and victuals, or what remained of them, books, papers, crockery, etc., all jumbled up together at the other end. Even at that time of day the light was dim in the room—the windows hadn't had a leather over them for ages. There was no order or tidiness whatever about the place, and everything wore a jaded and melancholy look. If any "flowers of love, of hope, or joy" ever sprang up from the dust and dirt of that miserable room, they must have bloomed only to wither in a moment!

But withal, I could see I was in the presence of a cultured gentleman, whose nature seemed to have taken a curious twist. It was obvious his ruling motive, if it aimed at nothing else, was singularity,—and at that time he was all but a recluse in the midst of a big city. For all I know to the

contrary, he might at one time have been a busy, flourishing advocate, with his home in order, servants at his beck and call, and all his belongings well cared for. But when I went to see him, though he showed no symptoms of disease or even of fast-failing old age, I felt somehow that he was rapidly passing out of the world ; and the surroundings which I have endeavoured roughly to describe were those in which he selected to end his days.

I was told that Mac——t was a member of the Amateur Orchestral Society, and that he was looked upon as an unusually good violinist. He showed me some of his fiddles, and one in particular he said was of considerable value. He smiled when I told him I was acquainted with his favourite Joachim and had once, as a boy, played a practical joke on the world-famous musician by hiding for a time the old gold silk handkerchief that covered his precious violin. Far back in the century, so gossip would have it, Mac——t was one of the best-dressed and smartest-looking men in Modern Athens. There must still be old people about Parliament House and in musical circles who knew him in the sixties. He was certainly one of the most eccentric characters who ever donned a white wig and black flowing gown.

I remained chatting with the old man for close upon half an hour, and, besides other topics, discussed with good tact the main object of my visit. But thinking, no doubt, he might be called upon later to part with a few shillings for a print of the portrait I proposed doing of him, he resolutely declined to sit for it. So I thanked him for giving up his "valuable time" to me, and courteously wished him good-bye.

Some little time afterwards I heard of his death, and also that he had left property valued at something not far short of £60,000. This may have been hyperbolical — I felt sure it must have been ; anyway he died, to outsiders seemingly a pauper, a comparatively rich man.

Though he could speak Shakesperian English well, Mr Mac——t was equally at home in braid Scots, and the words I have purposely used in my rhyme, "Resigning the Pink," were frequently on his lips, so I was told. He was the first I ever heard use the expression *hefty wa'*, implying a big, strong wall, of which there were many in the Linlithgow and Stirlingshire country thirty years ago.

In the hunting-field he was known by the nickname of "Paganini," and by lawyers he was invariably called "Dir-rty Mac——t."

GEORGE A. FOTHERGILL.

WHEN I had finished this sketch of Mac——t, a friend to whom I showed it suggested that I should hunt up his will at the Record Office,—it might be a psychological curiosity, he added. This I did, and found it to be what he said.

Those who have sat day after day in the historic round room, with a diameter of fifty feet, beneath the dome of the Register House, designed by the famous Robert Adam, and handled will after will there, as well as the big leather-bound volumes containing copies of them, can no longer feel the many thrills that a perfect stranger to the place must experience when he makes his début in that noble building. The fee for consulting a copy of a will is 2s. 6d., and that for studying the will itself, 7s. 6d.; but if one requires to examine a will for literary purposes only, there is no charge made—No. 1 thrill for the stranger who is an author. No. 2 thrill must surely be the sight of the original with signature of the party who made the will; and then comes a series of thrills as one reads from beginning to end of the precious document. I had never been beneath that beautiful dome before, and Mac——t's was the first will I had ever handled; so that the thrills I enjoyed during my preliminary visit of an hour to the Scottish Record Office were not a few.

His will and codicils appear on four of the eight pages of hand-made paper, bound in a vellum wrapper. The will itself is inscribed very neatly indeed in the tiniest of handwriting by a clerk, and signed with a good bold "fist" by Mac——t. The latter's signature shows a perfect formation of each letter, though nothing of the copper-plate look about it—it has a style betokening great character and culture in a well-bred man. It is dated "22 June 1896." Of two codicils by far the longest is that dated "13 May 1898," which includes the long religious rigmarole from which I shall quote presently. It is signed by him with a very shaky hand; he died in June 1899.

After describing himself as "of P—— Hall and L——, in the County of Fife, Advocate, Edinburgh," he appoints three executors, one a S.S.C., another an inspector of one of the big banks, and a third an engineer of Greenside. Any further trustees appointed at a future date must be "of good moral and Christian character to act as trustees along with the others," so he puts it. Less than a month afterwards, in a codicil, one of those three trustees was sent flying, no reason being given for the flight. His "properties situated in Edinburgh and Leith and also in the Counties of Midlothian and Fife" were to be looked after for the benefit of two relatives and two missions, the miners' and the "Free Presbyterian Church." His estate amounted to £10,774, 18s. 9d. (I have gathered from a reliable source that his income varied from £600 to £1000 per annum), and the bulk of the interest derived from his estate was to go to the Free Presbyterian Church (that part of it now known as the "Wee Frees"), while a niece, the daughter of a deceased brother, was to receive an annuity of £100, and another niece, the daughter of his sister, £50 per annum. A legacy of £20 fell to a nephew in Brisbane, Australia, "his circumstances not requiring more" (at least, that was the uncle's opinion expressed in the will!). The nephew would hear how the Church had benefited, and that even the Society for Prevention of Cruelty to Animals received £80 more than he himself did, and that another home for animals in Edinburgh was left £50. There is, however, a touching allusion in the will to his native

parish—he bequeathed "£200 for poor families in Ratho, the parish of my birth." Mac——t did not forget the fiddles, too—"one of my violins and bows to H——M——," who also had the option of selecting "a single picture out of my collection [of rubbish] without any consideration being made therefor."

We note that his "cook and table-maid" were the witnesses to the long codicil. Mac——t was evidently a great Free Kirker, as the following passage from this codicil will show. His trustees were "*to spend the free annual income of my Estate in manner after mentioned for the promotion of one or other or both of the following Missions the residue of my Estate to form a capital fund for the same viz.* (1) *the Mission to the Miners of Scotland promoted or being promoted by the Reverend Doctor* —— (2) *the Home Mission in connection with the Free Presbyterian Church of Scotland but not with the Established Church of Scotland which will be ultimately abolished such Church holding the Westminster Confession of Faith and Standards or adopt the false principle of Abstinence and tamper with the administration of the Lord's Supper such grant from my Estate shall cease and determine and in that event my Trustees shall pay the free annual income of my Estate to such religious or charitable purposes as they may think proper*," etc. etc. The above is not punctuated, and is somewhat strangely constructed, but it is clear enough.

I never heard anyone talk of an *affaire du cœur* in connection with Mac——t. But I have recently set eyes on two small photographs, taken in the forties, which show him up as a tall, slim, and particularly well-groomed, well-dressed man, so much so that we might presume someone else must have been "in the 'running'" at one time. Anyway, he died a bachelor. Whatever he may have been during his lifetime, no one who has read his will can say that he left the world without being voluntarily charitable to posterity, even though that charity on the whole did not extend towards his relatives. Strange to relate, there is absolutely nothing in his will to recall the prevailing hobby of his long life—no legacy, for instance, to the Hunt Servants' Benefit Society! His solicitor and chief executor, however, was an old hunting friend, and to him he bequeathed one of his violins. When Mac——t "resigned the pink," Rosinante, the last of his hunters, was doubtless sent to the kennels to feed the hounds—and he'd be sure to take the ten shillings allowed for her bag of bones! *Sic transit gloria mundi.*

But he passes, at any rate, into Hunt history to live there over again: in the files of some of the local papers his name appears, and the author of *The History of the Linlithgow and Stirlingshire Hunt* alludes thus to him—"Although noted for his parsimony, he was undoubtedly a lover of the chase." The same author quotes from the *Edinburgh Courant*, of 24th January 1884, which records a good run, after a meet at Hillwood House, by Ratho, in which Mac——t figures as one of half a dozen who were up at the finish. They found a fox in the Barracks covert, Livingstone, and, though they changed foxes, hounds ran continuously for an hour and forty-five minutes. A Miss Mackenzie was amongst the half dozen, so were Mr (now Colonel) C. T. Menzies, afterwards master of the Berwickshire, and Mr J. C. Munro of Marchbank, eventually a master of several good packs in England.

How many times, if any, Mac——t walked the floor of Parliament House when Alison was consulting authorities for his *History of Europe* in the Advocates' Library below,

and when Jeffrey and Cockburn were on the bench, the writer is unprepared to say, but he does know that he was admitted to the Faculty of Advocates as far back as 1841 ; and the very next above him in the list of advocates living in that year is George Young (*b.* 1819, *d.* 1907), who was admitted in 1840 along with W. E. Aytoun, author of *Lays of the Scottish Cavaliers*. Young was twice Solicitor-General, and also Lord Advocate, and became a Judge, with the title Lord Young. A lawyer son of the latter used to hunt with the L. and S., and he was one of those who was very keen that I should do a good sketch of Mac——t from life.

Only a few days ago, in Parliament House, I came across an advocate of over forty years' standing who told me that he had never seen Mac——t in wig and gown, though he was known to frequently turn over the pages of a book in the advocates' reading-room. "We were all ashamed of him," said my K.C. acquaintance. An official there assured me that after Mac——t's visits to the reading-room the windows had to be opened—so strong a taint of the old cloes shop and stable did he leave behind him wherever he went.

As to his parentage, no one whom I had come across knew anything about it. Quite by chance I found it out in this way. A distinguished Edinburgh citizen and lawyer, who was acquainted with both him and one of his brothers, was telling me some good tales about them both, and it occurred to him that the brother's name and parentage would be in the big W.S. book. We found it there. The Reverend T. Mac——t, D.D., minister of "Old Church, Edinburgh," was the father of several sons and daughters, including the hero of this brochure, whose W.S. brother, "of Dalsraith" (there is a *Dalraith* near Kilmarnock), died in 1878,—and it is in 1879 that Mac——t is first mentioned as a subscriber (!) to the L. and S. Hunt. The brother was married to a daughter of a naval commander, of Myrecadruie and Vellore, and was apparently of a literary turn, for we find him editing memoirs of Sir Ewen Cameron of Lochiel, in 1848, for the Abbotsford and Maitland Clubs. One of Mac——t's sisters was the wife of the Right Hon. Sir C. S. S——, G.C.B., G.C.M.G., our ambassador at St Petersburg, Russia ; and another one married a major of the Royal Artillery. The family of Mac——t was much scattered at the end of last century : I gather that relatives of his existed under various suns—in New Jersey, U.S.A. ; New Zealand ; at Warrnambool, Victoria ; in South Africa, and in the Canary Islands.

Before closing these notes I must give one good anecdote, obtained from a reliable source—some of the other stories I have heard, such as that telling of an old shirt being found on him at a Turkish bath after his back had been well scrubbed down, are somewhat incredulous, and we have heard of them being applied to other parsimonious and dirty people. Many years ago the late Mr T—— H——, W.S., was coming home from hunting when Mac——t persisted in riding very close to him on the side from which the wind came. Said the W.S. to the Advocate, "Mr Mac——t, you may ride before me, or you may ride behind me, but I'm damned if you shall ride by my side!"

CRAMOND BRIDGE, WEST LOTHIAN. 24 *June* 1924. G. A. F.

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